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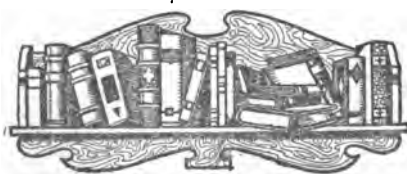


Barnstable, Mass.

No. 105.

LIBRARY of
Cape Cod
HISTORY & GENEALOGY

BARNSTABLE C#
TOWN RECORDS



YARMOUTHPORT, MASS.:
C. W. SWIFT, PUBLISHER AND PRINTER,
THE "REGISTER" PRESS,
1912.

BARNSTABLE TOWN RECORDS

Rebound in June, 1847, per order of the Selectmen—Nathaniel Hinckley, Daniel Basset, Thomas Statson, Jr.—Ferdinand G. Kelley, town clerk.

The 14th of Oct., 1649:

Ordered by ye Inhabitants That Henry Cob, Isaac Robinson, Thomas Lothrop and Thomas Hinckley, do peruse ye old Town Book and record such material useful orders, as they find therein into this book and ye rest of ye old book to be cancelled by them.

At a meeting of ye inhabitants of the town of Barnstable June 1736—Then voted that ye old Town Book as to ye articles contained in ye same to be of future use, be transcribed by ye Town Clerk into a new Book, to be procured by him with as much speed as conveniently may.

Barnstable Town Book Anno 1736

bought pr. David Crocker, Town Clerk. L. S. pretrium 3 12

This 18th of Feb. 1658, at a meeting of Thomas Hinckley, Henry Cob, Isaac Robinson and Thomas Lothrop, perusing ye old town book and recording such material, useful orders as they find therein into this Town Book cancelling ye rest according to an order bearing date Octr 15, 1649. In perusing whereof, they find as followeth, viz,

Imp, A grant of a great lot to Wm Dimock, &c, also an order bearing date 13th Jany 1641, Impouering Thomas Lothrop and Barnard Lumbarde to be Land Measurers, to lay out all ye lands which ye several Inhabitants are to have laid out and to bound them with stakes sufficient and to have 1d per acre for ye upland and 2d per acre for ye marsh ye parties whose land is to be laid out being to accompany ye measurers. Also, under date ye, 20th of 3d mo 1640 that no Inhabitant within this Plantation shall make sale of his house or any of his land, before he hath offered it to ye inhabitants and in case ye Plantation buy it, then to provide a purchaser whome ye town shall approve of and if ye Town do not provide a chapman in two months, he may sell to whome he will"

Also, an order bearing date ye 5th of January 1643 that ye Commons shall belong to ye present Inhabitants and to whom ye town shall see fitt, which Inhabitants then on record were as followeth on ye next Leafe of this book.

The 28th July 1662, ordered that Thomas Hinckley Ensign Bernard Lumbarde, Trustrum Hull, Thomas Lothrop are empouered by ye Town to attend ye coming of Mr Alden

BARNSTABLE TOWN RECORDS

and Major Winslow about ye grant James Hamblin
of our Enlargement at South Sea Samll Hicks
to make provision for them and to Edward Coleman
act with them as ye matter may re- Samll Norman
quire and the Town to. bear ye Nicholas Bonam
charges thereof as also to make ye 1666
best plea they can in any controver- Dolar Davis
sy that may arise between the In- Jedediah Lumbart
dians and this town. Samll Annable

At a town meeting the 3d of Octo- Nathaniel Goodspeed
ber 1662 Samll Hinkley
ordered and agreed by ye town that Joseph Hallet
the sones of all ye present inhabi- Meletiah Lothrop
tants shall successively be received John Phinney
as Inhabitants and Allowed equal ——— Otis

Town Privileges In the Commons John Fuller
and such other Privileges as belong Ye 25 of June 1657. ordered by ye
to the present Inhabitants as a Town- Inhabitants yt Bernard Lumbard
ship at ye day of their marriage or Thomas Lothrop, Thomas Hinkley &
the age of Twenty four years which John Smith be authorized by ye Town
shall happen first and it is further with full power to act In Issuring ye
agreed that these following be admit- Difference lying in Dependance be-
ted Inhabitants, tween this Town and the Indians at

John Howland

James Cob

Samll Fuller

son of Samll Fuller Sr

Daniel Stueart

Jabez Lumbard

Eduard Lewes

Thomas Lumbard

Thomas Ewer

John Sergeant

Samll Fuller

son of Lefft Fuller

Joseph Benjamin

John Lewes

John Crocker

Caleb Lumbart

Samll Bacon

John Fuller

Ye 25 of June 1657. ordered by ye
Inhabitants yt Bernard Lumbard
Thomas Lothrop, Thomas Hinkley &
John Smith be authorized by ye Town
with full power to act In Issuring ye
Difference lying in Dependance be-
tween this Town and the Indians at
South Sea, either by Referring it to
two Magistrates or otherwise as in
yr best discretion they conceiue may
be most beneficial to ye Town and
ye Town to bear ye charges thereof

Whereas Nathaniel Bacon, Thomas
Huckens, Thomas Lewes & Nicholas
Davis upon an agreement between
them and Yarmouth men about ye
running ye line at sea between them
and this town made choice of Mr
Thomas Prince Esq. Richard Higgins
of Eastham & Richard Chadwell &
Richard Bourne of Sandwich to issue
ye sd. difference of the line, this
Town doth approve ye same and In-
trust ye aforesd men viz: Nathaniel

BARNSTABLE TOWN RECORDS

Bacon Sr, to procure it done.

23d Feb 1662, at a Town meeting
Ordered that Nathaniel Bacon & Tris-
tram Hull shall joyn with those
whom ye Court shall appoynt for ye
purchasing Yannos Lands for Com-
mons for ye Town & to take ye
First oppertunity they can for the
effecting thereof & ye Town to pay
ye purchase

The names of ye Inhabitants
of Barnstable
Abraham Blish
Thomas Shane
John Crocker
Doller Davis
William Betts
Robert Sherley
Thomas Hatch
John Cooper
Austin Bearse
William Crocker
Henry Bourn
Henry Coggin
Laurence Litchfield
James Hamblin
James Cudworth
Thomas Hinkley
Isaac Robinson
Samll Jackson
Thomas Allin
Mr John Mayo
Mr John Bursley
John Casly
William Casly
Robert Lynnel
Thomas Lothrop
Thomas Lumbard
John Hall (or Hull)
Henry Rowley

Isaac Nells

John Smith

George Lewes

Edward FittsRandle

Bernard Lumbarde

Roger Goodspeed

Henry Cob

Thomas Huckens

John Scudder

Samuel Mayo

Nathaniel Bacon

Richard Foxwell

Thomas Dimocke

Samll Hinkley

Also, it was farther ordered that the
Commons were Intayled to ye House
Lotts.

pr nos.

Thomas Hinkley

Henry Cob

Isaac Robinson

Thomas Lothrop

also an order bearing date 26th 1st
month 1640. It is ordered and agreed
by ye general consent of ye Inhabi-
tants, that ye lands within this plan-
tation, both meddows and upland
shall be divided by this rule viz, one
third part to every house Lot equally,
One third to ye number of names yt
are immovable and ye other third
according to men's estates
August 26, 1644.

Witness these presents that I, Surunk,
an Indian, now dwelling at South
Sea, do sell and make over unto ye
Town of Barnstable all ye sd lands
an meddow. Lying betwixt ye bounds
(of Sandwich?) and ye bounds of
Piexit, another Indian, in considera-

BARNSTABLE TOWN RECORDS

tion of four coats & three axes in witness whereof I have hereunto set my hand ye day and year above written.

The mark of Serunk.
 Witness
 Thomas Dimmock
 The Mark of (A) Anthony Annable.
 Henry Cob
 John Smith
 Thomas Allen
 Laurence Willis.

This is a true copy taken out of ye original deed. Compared and entered, Ita: Attest Thos Hinkley, Scriba & Ass-istt—

At a town meeting ye 15th of May 1655, ordered by ye Inhabitants yt their Deputies with such other Townsmen as go to Court, shall have power to commit ye issuing of ye Difference Depending between themselves and ye Indians as also the settling of ye bounds of yr. lands to yr. Determination of Capt Standish or Mr, Hatherly.
 7th March 1647, Thomas Dimock & Isaac Robinson for town, concluded an agreement with Nepoyetum, "who rests himself fully satisfied for sd land for and in consideration of their making him three score rod of fence in ye Range of ye General Fence which goeth to Stony Cove near unto a certain parcel of land which the s'd Nepoyetum possesseth, and of two coats & one Day's plying In breaking up of Ground already in hand paid"

Witness Thomas Hinkley
 Mark W Tanominous
 "An Agreement made this 17th day of May 1648, between Panpmannuck with ye consent of his brother and all ye rest of his Associates on one part & Capt Myles Standish In ye behalf of ye Inhabitants of Barnstable on ye other part as followeth viz, "That Paupunmuck has sold all his lands in Bl "facing upon ye Sea commonly called ye South Sea butting home" bounded by Yanno's land Eastuard, running westerly "a little beyond a brook called ye first Her-ling Brook," Northward bounded by Nepoyetums Sequunnucks land excepting thirty acres reserved for himself, his brother and Associates for two brass kettles, one bushel of Indian corn, and one half part of so much fence as will fence in the reserved thirty acres, reserving also the right freely to hunt in the lands sold, with certain restrictions as to trapping so as not to hurt cattle thereby. Myles Standish signs the deed and Thomas Hinkley witnesses it,

By subsequent agreement, Paupunmuck waives the stipulation to build half the fence and the bushel of Indian Corn & agrees to receive instead "one great brass kettle of seven spans in wideness round about & one broad" to be paid within the twelvemonth. He also acknowledges the westerly bounds to be "half way to Seckonefset Town, where the place where the Indians now inhabit

BARNSTABLE TOWN RECORDS

& reaching across over the sea & wich and Barnstable, unto the sd. taking in a part of Nope Island Inhabitants of Barnstable to their where ye plantation now is." proper use and behoof forever The execution of this instrument is against any claimes by them or any as follows— other Indians whatsoever; also it is hands farther agreed that it shall be free

The Mark of Paupmunnucke for either Indians or English to fetch Witness Henry Cob such Alewives for their use as they Jonathan Hatch Isaac Robinson shall take in sd. River, the sd. Paup- "An agreement made this 15th of mumucke and his associates do also May 1658. In ye presence and with hereby acknowledge themselves fully ye help of Mr. John Alden & Capt. and quietly satisfied & contented Josias Winslow (appointed thereto forever without any farther troubles, by ye. Court touching a difference binding themselves to keep the for- between ye inhabitants of Barnsta- mer conditions about their setting ble & Paupmunnucke with the other trapps and all ye promises aforesd. Indians his associates, about certain In witness whereof, they have here- lands purchased of ye said Indians unto set their hands In former contracts bearing Date ye The mark of Paupmumucke 17th of May 1648 & ye 7th of Feb- The mark of Moash ruary 1648 viz That the sd. Paup- The mark of Wampum munnucke Moash Wampum and the Witness John Alden rest of their Associates, have fully Josias Winslow and absolutely resigned up all their Charles is my name right title & clayme which any or This 21 of May 1658, the line be- all of them have or can make for tween us and ye Indians aforesd, themselves or any others their asso- was accordingly set from a pine tree clates In all and every part of those at the East side of sd aforesd field, lands exprest in any of sd. former only making a set of Northwestward contracts excepting the thirty acres to a bound markt tree, leaving the of land expressed in ye former con- skirts of Good Land about ye sd Co- tract dearing date ye 17th of May- tuite alias Santuite Ponde to ye In- 16 1648 lying at a neck called Col- dians according to yr. Desire, Rich- alholset, and all the lands lying to ye ard Bourn of Sandwich being pres- Westward of Coltuite River & the ent according to ye desire of Mr. Westward of a Northwest line Run- John Alden & Capt Josias Winslow. ning from ye Easterly side of ye Ita Attest Thomas Hinkley next planting field to Santuite Pond Scriba lying on ye Easterly side of said "Thomas Hinkley River unto ye Bounds between Sand- On ye 19th of July 1664 Yanno. Sa-

BARNSTABLE TOWN RECORDS

chem sold to Nathaniel Bacon & by his father to the agents Tristram Hull in ye behalf and for ye of the town of Barnstable use of ye town of Barnstable all that Barnstable for the use of the town, his tract of land at South sea lying in case they should repay the purchase money and charge thereof to all that his tract of land at chase money and charge thereof to South sea lying within the him the said, Thomas Hinkley "sign-precincts of Barnstable, ed sealed & D.D.

for the use of the town, mark
bounded Easterly by ye bounds of John Yanno

Yarmouth, Nörtherly by ye lands In presence of
that was bought of Nepoyetum & Joseph Glover
Westerly, by ye lands bought of Thomas Hinkley Junr
Paupmumucke, excepting the skirts Joseph Mattock, Interpreter
of good land about the Cove, bound- Oct. 10th 1680, Thomas Hinkley be-
ed" &c. (excepting what he hath ing fully satisfied, released the above
already given to Nicholas Davis) & premises to the Town of Barnstable
"excepting only liberty by him given Ita Attest David Crocker, Town
to any of ye inhabitants of Barnsta- Clerk.

ble if their occasions require to set By deed of Oct. 11th 1666, John
up any warehouse or warehouses or Quason of Monymoict claiming to
Docks in any convenient place about have, by "testimony of certain In-
ye head of ye Cove with free egress dians," "cleared his claim (as it is
and regress thereunto" — "in con- said) to certain lands Lying and be-
sideration of twenty pounds & two ing in the common field in ye pre-
small breeches to me in hand pd. by cincts of Barnstable" by deed grant-
Sd. Tristram Hull, with warrantee ed and confirmed to Kennecompsit
against any Indians whatsoever Lay- that tract of the said land which was
ing any lawful claim thereunto." given his father by Nepoytum,

The Mark of Yanno

Witness

Thomas Walley Junr

The mark of (H) Indian Will

In presence of Thomas Hinkley Asstn
Sept. 27th 1680, John Yauno, Indian
of Gayhead at Nope Island, eldest
son and heir of Yarmo Sachem of ye
South Sea in Barnstable late de-
ceased, bargained & sold to Thomas
Hinckley Senior for 28 shillings re-
ceived of him the tract of land sold

and to the town of Barnstable, all his
right and title in the lands sold them-
by Nepoyetum, and also freely gave
and granted to Aquannueton, the
wife of Indian John, sixteen acres of
the same tract, reserving to himself
only the residue of said lands, being
about 34 acres which was left by
Nepoyetum indisposed of being all the
land in Banistable, he, Quason in
any ways claimed.

The mark of John Quason

BARNSTABLE TOWN RECORDS

"Witness Francis Saugamore of possessed with, within this township, Nausiat the bounds of sd. Lands being publicly Declared in the Town Meeting Sachemus of Saqutuckitt and Approved shall be Recorded in the Town Book to be ye Lands of each possessor thereof & do by these

In presence of me Thomas Hinkley. Assistant
 "Memorandum
 That it afterwards appeared that ye sd. John Quason was a Usurper and had no Right to yn Lande above mentioned & did make 'satisfaction to Joseph Hollit & some others to whom he sold some of those Lands, the said Lands of right belonging unto ye aforementioned Aquanneton, alias Sarah, Daughter and heir of sd Nepoyetum

Ita attest preedict, Thomas Hinkley Men appointed by ye town to Exam-
 "This 26th of June 1654, Henry Cob, ine evidences of Mens lands to be Abraham Blush, John Phinney, William Crocker & Nathaniel Bacon p. 25 "Ordered that Thomas Hinkley, Mr. Gorham (John) John Davis were chosen by ye Town for Examining evidence of land according to Court order 10 of June 1654 and James Lewes or ye major part of them be Impowered to buy a certain tract of land of Kenecompsitt

"8th of January 1657
 Whereas the Inhabitants of this town took into yr. Serious Consideration the great trouble and confusion that hereafter may ensue for want of recording such sundry parcel or parcels of land, given and granted Lye for ye Towns Commons: ye to certain particular men, within this Township, for prevention of which thereof at a town meeting this 30th foresd Trouble & Confusion the sd of Nov. 1635 (?)

Inhabitants have therefore at a full town meeting ye day and year above written, with full consent ordered and agreed as followeth viz. that of five pounds paid him by the above whatsoever parcel or parcels of named persons, as agents for the lands any man hath & is at present town of Barnstable a tract at South

BARNSTABLE TOWN RECORDS

sea, bounded on the East by the line of Yarmouth, south by Yanno's Harbour, west by Nicholas Davis' land and north by land Yanno sold to Barnstable.

acknowledged before me Thomas Hinkley assistant

Kenecompsit
his
mark
(B)

"In presence of
Joseph Lothrop
Samll Hinkley

At same date before same personally appeared Indian Ned of Saque-tucket, & acknowledged relinquish-ing all his right, title and claim in & unto sd. tract of land.

Many of first settlers sign by a mark—Thos Share, George Lewes, Joshua Lumberd
p.32

June 30, 1685. Committees of Barn-stable & Sandwich settled "center Bounds", beginning at "a pretty bigg Stone, set with one end in the ground"

April 20, 1668 Kenecompsit, with consent and approbation of Thomas Hinkley & Nathaniel Bacon, appoint-ed thereunto by authority of court, sold James Lewes blacksmith, Ed-ward Lewes & John Lewes a piece of land at Mattakeese containing about 7 acres.

Oct 20, 1777. Monohoo, Indian sells Rev. Thomas about 3 acres of land, p. 36 acknowledged before T. H. as-sistant who seems to have done con-

siderably conveyancing

At a town meeting on ye 5th of April 1670

"It is ordered by ye Town that all ye common meddow as yet undisposed within this township shall: from time to time, perpetually be & lye for common to and for ye common use of the present inhab-itants whose names are hereunder re-corded to ye sons of all ye aforemen-tioned inhabitants successively as they shall grow qualified According to a former order bearing date 3d of October 1662 and to ye successors of such inhabitants as aforesd who shall purchase and buy out ye whole right of such respective Inhabitants The Inhabitants that are on record as aforesaid, are as followeth, viz,
(1670)

Thomas Hinkley
Mr. Nathl Bacon
Mr Thomas Walley Sr
Mr Henry Cob
Mr John Chipman
Cap. Matthew Fuller
Lieut Joseph Lothrop
Ensign Bernard Lumbart
Mr John Gorum
Anthony Annable
John Cooper
Henry Bourn
Austin Bearse
Thomas Share
Robert Sherley
James Hamlin Senr
Abraham Blish
William Crocker
Mr. Thomas Allin.

BARNSTABLE TOWN RECORDS

William Casly	Shobal Dimock
Thomas Lothrop.	Nathl FittsRandle
Roger Goodspeed	Dollar Davis
Thomas Huckens	Saml Hinckley
John Scudder	John Phinney Jr
Mr Thomas Dexter	Nathl Goodspeed
John Davis	Jedediah Lumbard
John Thompson	Samuel Allen
Ralph Jones	Joseph Hallet
Henry Taylor	John Otis
Robert Davis	Samuel Annable
Nicholas Davis	John Fuller
Robert Parker	Melatiah Lothrop
Samll Fuller Senr	William Troop
Peter Blossom	Samuel Hous
Moses Rowley	Edward Taylor
John Phinney Sr	Mark Ridley
Thomas Lewes	John Hinkley
George Lewes	John Hamlin
Joshua Lumbart Sr	Job Crocker
James Lewes	Josiah Crocker
David Linnell	John Goodspeed
John Jenkins	Mrs Lothrop wid
Mr William Serjeant	Widow Lewes
Barnabas Lothrop	Widdow Lumbard
William Dexter	The heirs of Mr Henry Bursley, Decd
James Claghorn	23 Feb.1670
John Howland	John Huckens
Edward Lewes	Nathl Bacon
James Hamlin Jr	Bartholomew Hamblin
James Cob	Benjamin Lumbart
John Crocker	14th May 1674
Samll., son of Samll	Isaac Chapman
Fuller. Samll son of Capt Fuller	(admitted in his Grandfather Wells'
Edward Coleman	Right)
Thomas Lumbert	16th July 1674, were entered
Jabez Lumbert	Joseph Blish
John Lewes	James Gorum
Caleb Lumbart	John Bursley
Samuel Norman	Eleazer Hamlin

BARNSTABLE TOWN RECORDS

Gap. John Allyn

John Davis Jr

John Gorham

5 May 1677

Samll Hinckley Junr

Joseph Berse

Benjamin Goodspeed

Dec. 1678

John Fuller Junr

Thomas Huckens Junr

Israel Hamlin

Joseph Crocker

Eleazer Cob

Samll Sergeant

Samuel Bryant

Richard Childs

18 May 1687

John Barker

Admitted a Townsman

18 August

Allyn Nichols

Eleazer Crocker

Joseph Bodfish

12 May 1682

Thomas Hinkley

Ebenezer Goodspeed

23 May 1683. Samuel Cob & Jonathan Cob admitted Townsmen

14 Feb'y 1683 Mr Jonathan Russell, Jeremiah Bacon, Benjamin Lothrop, James Bearse & James Coleman were admitted Townsmen

Com. appointed to agree with John Davis Jr about his piece of swamp by ye Highway for a watering place for the neighboring cattle, by giving him other land in exchange not above four or five acres. Dexter, & Thomas Parker, admitted Townsmen

1684 (Aug. 7)

7th Jan. 1684 John Glover do

13th May 1685, Samll Parker & Increase Clap do

12 May 1687, Jedediah Jones, Samuel Lothrop, John Bacon, Benjamin Hinckley, Samll Baker & Matthew Fuller do.

May 12 1691 Mr Samuel Annable, John Lewes, Samuel Allen do & Mr Samuel Baker, Jonathan Crocker, Alkin Nichols & Samuel Annable propounded freemen

May 29, 1689 James Pain, Samll Lewes, Eleazer Lewes, James Lewes, John Phinney, Edward Coleman, John Crocker, Thomas Jenkins, Barnabas Lothrop, ye son of Barnabas Lothrop, Thomas Fuller, Henry Cob, Thomas Allyn, Joseph Smith, were admitted Townsmen.

Aug 1689, Thomas Dimock, Josiah Davis, Joseph Davis ye son of Robert Davis, and Joshua Lumbert Junr do

Aug 26 do Elisha Pain & Jabez Fuller do

Feb 19, 1689-90 John Dimmuck & Thomas Lumbard do

May 15 1690 Benjn Davis propounded to be a Townsman and by silence admitted thereto

Sept 30 1691 Ebenezer Lewis

Jan 14. 1691, John Lothrop, son of Mr Barnabas Lothrop, Thomas Blossom, James Hamlin, Robert Clagson, Ebenezer Hamlin, Stephen Dexter, Shubal Goreham, Phillips

Feb 4, Bernard Lumbart, Joseph

BARNSTABLE TOWN RECORDS

Phinney, Jedediah Lumbart, Raly mons granted him also, about 4
Jones & Jonathan Linnel, do acres of "marsh meddow in some

March 4, 1691, Isaac Taylor, Mat- convenient place"
thew Jones, John Dunham, John 16th December 1702, Joseph Nichols
Jssum, Shobal Goreham, do. admitted Townsman; Benj Good-

April 6, 1692, John Jenkins ac- speed, son of Eben Goodspeed do:
cepted do. At a town meeting ye 12th of May

Oct. 28, 1696 "Ebenezer Phinney & 1682, Ensign Bernard Lumbart,
Benjamin Lewes admitted Towns- Nathl Bacon, James Cob were made
man"

Oct 30 "Thomas Phinney do. of ye. bounds between Yarmouth

March 14, 1694-5 Thomas Phinny and this Town
Jonathan Hamlin, & Thomas Bump and Elder John Chipman & Ensign
do John Howland & Serjeant John Ful-

Aprli 11, 1695. Shubal Claghorn, ler, to take of ye bounds between
Thomas Crocker, Samll Crocker & Sandwich and this Town

Hope Lothrop admitted Townsmen p 50 Com. appointed about water

John Bodfish Jr. Benjamin Lum- or wind mill 1684 wh. Gov. Hinkley,
bart, Samll Phinney, Thomas Crock- Mr Barnabas Lothrop, Jeremiah Ba-
er (son of Dea Job Crocker), Benja- con & Mr Samll Allen engage to
min Fuller, Samuel Hamlin, Shobal build ie "a substantial Windmill and
Howland, John Howland, Nathll Ba- set her up in some convenient place"
con, entered Townsmen 17th of May p.,57 Jan 19, 1686 projected wind-
1700 mill on Cobb's Hill or "old M. H.

Thomas Lothrop (son of Capt Hill
Joseph Lothrop) Joseph Bodfish Jr, 24th June 1785. Barnabas Lothrop
Jonathan Lewes (son of George Inpowered to act as their agent re-
Lewis), Benjamin Berse, Enatred specting ye answer of ye Towns Pre-
Townsman 12th of May 1702. sentment concerning Jones River
Isaac Hamlin do. 28th of May 1702 Bridge

James Gorham & John Crocker (son Gov Hinckley and the same to act
of Dea Job Crocker) do. 1704 as the Town's agents for ye search-

Dec. 16th 1702, Joseph Nichols ad- ing of ye Court Records for ye find-
mitted Townsman ing out ye Court grant of ye Town-

Benjamin Goodspeed, son of Eben ship "& try to rectify any defect in
Goodspeed do. the same.

Aug 13, 1663 (p.1301,"Mr. Thomas Feb. 11 1686-7 the whole concerns
Walley was voted to be accepted as a of the mill left altogether to discre-
townsman here amongst us" tion of Mr Barnabas Lothrop &

Six acres of ground in the Com- Mr. Samuel Allin (p. 52)

BARNSTABLE TOWN RECORDS

do appears Joseph Lothrop was to Indian owners
Clerk-1686

Feb. 25, 1690-1, voted to sell 40
Feb. 1, 1687 to grant 8 or 10 acres or 50 pounds worth of the Commons
of upland at ye River by John Good- towards defraying expenses of send-
speed's & ye benefit of ye stream if ing to England for a charter, & Na-
he put up a fulling mill & full & nniel Bacon, Lieut James Lewis, Capt
dress ye Town's cloth at reasonable Lothrop, Deacon Job Crocker, Mr
prices. (see p. 59 for undertakers John Otis, Mr Samll Hinkley Senr
of) & Lieut John Howland a Com. "to

March & April, 1686 County Road. effect the end aforesd"
from Sandwich to Yarmouth was laid March 11, confirmed that action
out by a jury of 16 men—40 feet — "& voted to venture about thirty
wide pounds, for ye end aforesaid if there

p. 55 Covenant of wind mill Com. were likelihood to effect ye same."
with Thomas Pain Senr of Eastham "At a Town Meeting Jan. 14, 1691,
to build one—Feb. 16, 1687 named for ye purpose "it was agreed

June 1, 1688. John Gorham, Jabez that seven men be now chosen as a
Lumbert & Nathaniel Bacon chosen committee to determine" "to whom
to be land measurers. and how much every mans right" in

May 29, 1689, the Town voted that the common meddow is:" "and
all ye common meddow belonging to such of ye Inhabitants as judge them-
ye Town be divided to them whom selves injured by such determination
of right it doth belong. they shall have liberty to choose

June 1, 1688 Town granted to Lieut one Indifferent man and ye sd Com-
James Lewes & Nathaniel Bacon all mittee another & they to choose a
the Coman thatch; goose grass or third if they two agree not to make
sedge yt. grows upon ye flats below a final determination of such right
ye beech between Huckens Creek & claimed by them or to have their
Stony Cove Creek, so long as they liberty to try their title at law: ye
maintain a sufficient pound for the sd Committee to have Respect in
towns use their Determination to Common Equ-

Feb. 19 1689-90. voted to chuse a ity & former orders of this Town as
Com. of seven men to determine to much as may be."

whom of right ye commons are to "The above written was chosen a
be divided to clear vote in ye affirmative & their

March 16. 1689. Bernard Lumbart, was chosen Governour Hinkley, Capt
aged about 82, deposed that abt. 20 Goreham, Mr. John Otis. Samll Hink-
yrs last past Mr. Hinkley, Mr. Bacon ley, Samll Chipman, Eleazer Crock-
& Mr Gorham were appointed by the er—Mr. Barnabas Lothrop and John
Town to sell lands in Bl. belonging Hinkley had each of them thirteen

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votes apiece, so that ye two last men adjoining to ye land he bought of ye had an equal vote: at last there did appear two men that had not voted as was said, which when they had voted, there fell two votes more to John Hinkley, so with them two votes he had fifteen votes.

Feb. 4 1691. "Voted by ye Town to choose a new Committee of nine men & they or ye major part of them to determine who have right in ye common marsh or meddow of this Town & what & how much shall be each man's just rights therein according to ye former order that ye Committee of seven men were to do, bearing date Jan 14 1691

The men were chosen for ye new Committee, their names are as followeth viz. Governour Hinkley, Ensign Shobal Dimock, Capt John Gorham, Saml Hinkley Senr, Melatiah Lothrop, Mr. Barnabas Lothrop, Mr. John Otis & Lieut James Lewes & in ye choice of committee there was Lieut. John Howland, Edward Lewes and Eleazer Crocker that had an equal vote, being just 26 votes apiece

& the Town voted them all to joyn with ye eight men before named to make up ye sd committee & so all ye eleven men above mentioned to act as a committee to accomplish ye end aforesaid"

March 4, 1691 voted that Josias Davis & Henry Cob, or any body else should have liberty to purchase lands of ye Indians in ye Common Field"

June 1, 1692 Town voted to sell John Phinney Jun, an acre of land

It was put to vote for Mr. Russell and Bartholomew Hamlin to have three acres of land by ye land of Allin Nichols, but very few hands lift up & ye contrary vote being called no hands lift up as I saw.

"An Indian named Black Daniel had liberty to sell his lands to any of ye inhabitants of this Town."

Mch 23-1792, "Mr Barnabas Lothrop, James Gorham, Ensign Shobal Dimock & Lieut James Lewis were chosen by ye town to manage ye affairs of ye Common Field. Respecting such orders as may conduce to ye Common good of ye proprietors thereof.

The orders made by whome were presented to the Court of Quarter Sessions March 23, 1693 & Confirmed

Orders approved page 66—
—providing for fences, for exclusion of all but working cattle from March 10 to Oct. 15: impounding of beasts improperly intruding: choice of haywards any—&c—

March & April 1691. John Gorham, Nathl Bacon and John Otis sold several parcels of land (8) in pursuance of the vote of the town to raise money to defray expenses of procuring the Charter—

Oct 15, 1666 John Phinney, for him-

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self and others, brethren of the by ye late Committee bearing date Church of Barnstable, who some time ye 30th of January 1693-4, Im—— since invited Mr William Serjeant to Thomas Huckens, Feb.12,1693-4 Then have the benefit of his labors follow 55 others, among whom are amongst them sold sd Senjeant cer- Thomas Hinkley & Shubal Gorham. tain premises—

pp. 79, 80 Kenecompsit, with con- 29th July 1696. Selectmen* shall notify those of Yarmouth they wd. sent of Thos. Hinkley & Nathaniel run the line as the bounds were for- Bacon, Guards, sells certain small merly fixed by the trees already parcels of land at Mattakeese. marked; "otherwise, they shall not

January 30,1693 the Committee of act upon that account, we having en- eleven made their report not signed joyed it by these bounds neer about by G. Hinkley of division of Com- 50 years."

mon Meddow—The ministry was al- *First time I find word "Select- lotted 6 acres, Thomas Higgins & 3 men" mentioned.

or 4 others had 7: Mr Thos Hink- Dec. 16, 1696 voted that "Mr Otis ley (who heads the list) had 4: Shu- should have a piece of upland of bal Gorham, 1: Nathl Bacons heirs, forty foot square Lying at Rendez- 3: Cap. John Gorham, 4 John Otis, vous Creek."—"with liberty to erect in Rowley's right, 1: in his own right, a warehouse on ye same." "to remain 5—about 430 or 440 acres, to 161 per- to sd. Otis, his heirs and assigns, so sons or parties in their own right or long as it shall be improved for ye by purchase or successn above sd. namely to erect & contin-

Feb.8 1793, voted "that all persons ue a warehouse."

that are dissatisfied in reference to Page 89, prceedings (Octo 30,1696) what ye late Cqmmitttee hath done as to arbitration in reference to the In order to ye division of ye com- shares of those dissatisfied with the mon marsh shall appear to ye Town proportion of common meddows as- Clerk and their enter their names as signed them by the Committee, un- parties agrieved that so they may der vote of Jan 14 1691, "which town have their remedy, which entry shall do explain to be that arbitrators so be made within fourteen days and chosen shall have power to confirm, all who shall neglect so to do, shall alter or amend as they shall see forever hereafter be without any cause; so that they shall proceed to remedy." (pp. 84-5) make a final settlement of the sd

p.86 "Here follows a list of ye Commons by way of division, The names of those persons that found aggrieved parties above made choice themselves aggrieved and unsatisfied of Major Mayhew of Edgartown and with ye division of ye Common the Committee above made choice of marsh or Meddow as it was divided Mr. Samuel Sprague of Marshfield

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for to arbitrate and determine as appointed as the time of putting in above sd with all convenient speed claims before the arbitrators "about ye above. 10 of the clock at Melatiah Lothrop's house." Desired and voted that

Also, voted by the Town, by full consent, Esq. Lothrop, Mr Hinkley, Mr Otis and Mr. Daniel Parker should consider & draw up something to propose and lay before ye Town in order to ye more ready carrying on of ye work of dividing ye common med-

Jan 12, 1696-7 voted that the and Squire Lothrop and Mr Otis should take ye account of ye above sd arbitration & to satisfy ye same and the Town to repay it to them again. 1697, by which it is also provided

Farther, it was unanimously voted that each and every male person that each proprietor of marsh should have free egress and regress to cut grass, make hay and carry off the same, either for persons or teams, acre of meddow or marsh. And as it passing where least prejudicial to owner of lots passed over, to whom allowance shall be made for this necessity. specifically awarded. In this Division, Thos Hinckley has 5 acres instead of 4 as previously:

Feb 10, 1696-7 Com. of three men to be chosen "to settle bounds betwixt ye commons & particular mens Allotments to 192 persons or parcels of marsh or meddows where they shall see occasion, according to equity and Right without partiality. through others.

The Town then made choice of ye original & Entered ye 3 of Aug. Esq. Lothrop, Mr. Otis, & Daniel ust, 1697 per Samll Allyn Town Parker. Left Lowes added by vote Clerk."

of Last of March, 1697; "voted to pp. 92 & 93. Common Meddow & allow them three shillings per day Marsh to be laid out in lots of six while about said service. acres each, those on the best land

Also to raise 20 pounds by vote to defray the necessary charges in the matter. enough more land to make them equal in value—Those who have just

The 18th of February, 1697, was six acres to have his lot in severalty

BARNSTABLE TOWN RECORDS

—Others shall unite with neighbor or ie Barnabas Lothrop Esq Left Lewes, neighbors are Kinsfolk, the measur- Daniel Parker & Mr. John Otis: ers of the town to determine, who Town now determines there shall be shall be joined together as partners only one Committee, which shall both —accomodating those who have pref- set out lots & establish their bounds erences as much as possible. The and there were chosen at a town parcels shall be chosen by lot prepar- meeting held June 23, 1697, Capt ed in open town meeting. The lots Gorham, Mr Otis & Daniel Parker to be numbered from 1, the numbers as such Com. they to receive 5 shil- being written on separate slips of lings each per day paper to be drawn by some one meet Sept 30, 1697. Capt Gorham & Mr person. The persons to have lots James Hinckley chosen to determine shall be entered in a list made out "little nooks corners that may be by the measurers & the name and meet to allow those that have their lot drawn shall be entered in the marsh on ye South Sea,— town book. Each person (or group) And agreement made with Mr. to have his chioce according to his Otis to allow him 1d per acre for turn by the number drawn. Where paying all the charges of lotting out parties cannot agree, the choice shall & recording the lots commons. be determined by the majority in in- p. 94 Division of "South Sea Med- terest. Where interests are equal or dow"—their signatures. for any cause no such decision shall p.95 John Issams "Two acre right be made & in case of refusal or ne- of Marsh laid out to him at Oyster glect to choose that person who Island draws the number shall also choose p. 95 Record of 4 lots between Ful- the lot to go with it. After the lots ler's Creek & Scorton Creek of six acres are all laid out & num- p. 96 Record of 6 lots between bers drawn, one week's time shall Scorton Creek & Eel Creek be allowed for inspection of lots and p. 96 Record of 6 lots between then, choice shall be made and enter- BoatCove Creek & Fuller's do ed in the list, to be recorded after- p. 97 Record of 5 lots between wards in book. Eel Creek & Goodspeed's do The measurers may prepare stakes p. 98 Record of 12 lots between to be planted at lots with their num- Boat Cove Creek & Spring do ber & shall have 4s. per day for their p. 100 Record of 6 lots between services (At Town Meeting May 6, Bridge Creek & Spring do. 1697)

(Here is Jno. Otis)

Committee having formerly been p. 101 Record of 14 lots between chosen to settle boundaries betwn Bacon's Creek & Wells do Common meadows & particular lots, & so to boundary of lot 110 p. 107

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At Town meeting 12th Aug. 1697, voted that those who shall choose all ye common marsh on Oyster Island, (save that granted to John Issam, shall have it for 9 acres or a lot and one half.

allotment finished Aug. 6, 1797 by Jno. Otis, Capt Gorham & Daniel Parker, & recorded 25th of November 1697

men chosen were Mr. Jno. Otis, Daniel Parker & Samll Chipman (There were many special grants of Commons in Upland, many disputes as to exact locality of grants &c, &c, Exchanges of lands and so land measurers were in great demand.)

May 13, 1698 (p. 113) Props on Sandy Neck of meddows had leave to put up fences & treat cattle intruding as trespassers—

As. attest Saml Allyn Town Clerk to put up fences & treat cattle intruding as trespassers—

12th August 1697, lots were drawn "for choice of 6 acre lots on first Division of sd marsh".

19th August 1697, it appearing that there having been enough 6 acre lots drawn to satisfy all allotments & as many 3 acre lots remained, voted to draw by lot for choice of those—

On pp. 108 et sub. is given names of Proprietors, numbers drawn & lot chosen by each, both of whole and half lots. Thomas Hinkley is always named first. This "turn of choice" was no 63 & no. 65

Recorded Nov. 25, 1797 p. 113 after 1st & 2d Division, there remained the 57th lott ½ lot 55 & half lot 102

May 13, 1698, ¼ lot 102 granted Nathl Nichols, on motion of his Father.

Feb 22d 1699-1700, Major John Gorham added as a third man to Capt Otis & Mr Daniel Parker for to make a division betwixt men's proprieties & ye Towns Commons to prevent encroachments thereupon (each man to have 3 shillings per day)

Daniel Parker & Samuel Chapman added to number of land measurers. in pursuance of an order given unto

June 24, 1698. Voted to make choice of men to settle ye bounds betwixt men's lands & ye Commons where there may be occasion for ye same and to settle & ye bounds and bring ye same to record. The beginning at Deacon Job Crockers as

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ye may goeth up to ye head of 2 Whether there be any right of Skoukanet River and as sd River run- commons belonging to the Com-
neth in to ye South Sea shall be ye mons already divided?
dividing line in sd Town ye East- 3 Whether be any Right of Com-
ward part belonging to Capt Gorham mons to Personal Estates?
ye first foot Company in sd Barnsta- 4 whether any right of commons be-
ble & ye Westward belonging to longeth to House Lots as such?
Capt Otis ye Second foot Company in 5 Whether any respect shall be had
sd Town. (p. 120.) to ye unumber of male children in
each family?

19th of March 1700. that Town 6 Whether ye right of Commons
Clerk and one of the Town Com. liv- heretofore granted to any doth ex-
ing at either end of Town (as it may tend to his & their heirs & Succes-
happen) shall be capable of settling sors
bounds between men's property &
Town Commons (p. 122) At a town meeting named

May 17, 1700 Major John Gorham, ye. 25th of Sept. 1701 Then voted
Capt Otis & Lieutenant Allyn Em- that 15 men be chosen as a Commit-
powered to employ inferiour help to tee to consider and draw up some
same end. proposals to offer to ye Town in

Sept 17, 1700 Rev Jonathan Rus- order to their Settling ye propriety
sell asked for his fire wood or an of ye Common lands in sd Town &
Equivalent, having formerly, on first to find out who are ye proprietors &
settlement been encouraged by prin- what each man's propriety may rea-
cipal inhabitants to expect it— sonably be in sd. Town, and such

7th March 1701 Voted that a town rules as shall be proposed by ye ma-
meeting should be named for Tues- jor part of sd. Committee to ye Town
day next ensuing, in order to con- shall be the Method for ye future
sider and find out and Determine to for dividing as much of sd Com-
whom of right, ye Common Upland mons as may be Thought/ suitable
belongs to and are ye proper pro- from time to time to be laid out—In
prietors of ye same— case ye sd Town accept sd rules
when proposed.

At a Town Meeting orderly named 11 At a Town Meeting 25 of Sept 1701
of March 1701 (p.121) Rev Mr, Rus- The persons chosen as a Committee
sell was chosen Moderator for sd, To consider and Draw up some pro-
day (The first thing then debated on posals to offer To the Town
was Respecting ye Commons &c were as
followeth,

1 whether ye bare Admission of a Mr Thomas Hinkley, Edward Lewes,
person to be a Townsman, gives him Major John Gorham, Esq Lothrop,
a right to ye Commons, under our
circumstances

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Lieut Fuller, Capt John Otis, John May next ensuing.

Bacon, Joseph Smith, James Gorham, At a Town meeting ye 12th of
 Ensign Hinkley, John Jenkins, Samll May 1702 Major Gorham was chos-
 Chipman, Ebenezer Lewes, James en Moderator for ye meeting & ye
 Coleman, Daniel Parker adjournment thereof.

"At a Town Meeting 19 of Feby 1701- Then also was agreed and voted in
 2 Voted by ye Town to Know ye pursuance of town votes passed 19th
 proprietors of ye Towns Commons & of March and 14 of April last past,
 to State ye same; that some meet for ye taking of some method for ye
 course should be taken" better settling of their common lands,

At a Town Meeting 19 of March and as upon Record upon ye Town
 1702. Voted that there be a suita- Book may more fully appear & there
 ble Number of Unconcerned persons was three men that was unconcerned
 chosen to Resolve who are ye Right yt were chosen to give Judgment
 proprietors of ye Undivided or Com- and Resolution concerning ye interest
 mon Lands within this Township, sd of ye common lands viz Capt Mory
 number was voted to be three & that of Plymouth Mr. Samll Knowles &
 it should be left to them to Resolve Mr Joseph Doan of Eastham &
 the same were desired to meet here on ye 12th

At a Town meeting ye 14th of Day of this present May & two of
 April 1702, Esq Lothrop chosen Mod- them, to wit Capt Jonathan Mory &
 erator, (after reciting above vote) Mr. Samll Knowles did accordingly
 "has now further ordered & voted, come & manifested a compliance to
 yt ye three persons so chosen to re- ye desire of ye Town presented to
 solve who are ye right Proprietors— you, but Mr Joseph Doan was by ye
 Shall in stating & settling sd pro- Providence of God taken sick ye day
 prietors' Interest and Proportion— before & so rendred incapable of
 They shall determine it according coming. Therefore, and for other
 to law, ye Town Records, & ye Rules considerations moving thereunto, It
 of Right Reason." was agreed and orderly concluded

Then was made choice of three men with ye general consent & Desire yt
 by ye Town to Determine & Settle Barnabas Lothrop Esq should be add-
 ye concern as abovesd which were ed to ye above mentioned me former-
 Capt Jonathan Mory of Plymouth & ly chosen to judge of this matter and
 Mr. Samuel Knowles and Mr Joseph if they be all together ye same meet-
 Doan of Eastham & Mr Russell was ing, then any three of them agreeing:
 desired to write to them to desire or if but three of them meet togeth-
 them to attend ye sd service at ye er at ye same time than any two of
 time appointed was to be the Second them agreeing their Judgment given
 Tuesday in May. being ye 12 Day of in shall be binding accordingly as

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was formerly voted, anything in any of names & Estates as for house lotts, of ye former Votes about unconcern- Each of which have increased to a ed persons to ye contrary notwithstanding greater number and no particular propriety yet stated, and further Difficul-

Sd meeting adjourned by votes of ye ty like to accrue—

Town to next day 9 of ye clock: Therefore, it is ordered and Resolved Then desired of sd men yt they fin- by ye major part of ye Proprietors ish sd affair as soon as possibly they having regard to said threefold rule can. that one third part of ye lands yet

At a Town meeting 22d of May 1702. undisposed of is stated & shall be di- Made choice of Capt John Otis, Eben- vided to every Tenement in this ezer Lewis and Samll Allyn, to take Town, equally alike & not Exempting account of ye Towns men and ye such whose owners are widdows & claims of sd Towns men by their in yt nonage or not out of Town, nor several Qualifications their names be including those yt have built on ye ing annexed to ye same. Commons.

At a Town meeting 4th of August Resolved that one third part of ye 1702, orderly named for Persons con- Commons is stated and settled to Es- cerned to give in their Qualifications, tates according to proportions of each that to each person may have his persons estate real of ye present In- proportion for ye undivided common habitants, Excluding any other Lands stated by ye arbitrators— Townsmen that have bought small

At a Town meeting 16 of Feb. 1702-3 Tracts of Meddow within our Town- Whereas this Town hath laboured to ship and are with us non residents.

state ye Commons or undivided Lands Resolved that ye other or last third to each proprietor according to their is stated to number of names Im- several Qualifications, that It may moveable to each and Every one alike be Conducible to ye benefit of ye to be understood according to our whole—And whereas there is an Town Record, such as are married or order of settlement in ye Town Book 24 years of age and are resident in of Records bearing date 1640, that ye Town—and not to exclude any who Commons shall be stated or divided transiently are out of Town In ye by this three fold Rule, viz. one third occasions.

to House Lotts, one third to Estate School & Ministry

& one Third of Number of Names Resolved that there be 80 acres of Immoveable. land reserved out of ye whole, ye

Proposed, At ye time of making profits of which shall be towards ye sd order, ye Town was progressive maintenance of a school or schools and ye particles "Shall Be, refers to In this Town & 80 acres to ye Minis- ye time of Doing as well for number try & so to be perpetually.

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And as all general rules may have premises shall be binding with a sav-
some particular exceptions, Resolved ing to any Grieved party the liberty
that ye major part of ye Proprietors of ye Law. A Committee was voted
shall have Liberty to Salve where for and their choice of which were,
there may be particular Apparent Lieut Coll John Gorham, Samll Hink-
wrong ley Senior, Daniel Parker, Ebenezer

Resolved yt whereas one third of ye Lewes & Lieut Allyn
undivided land is Stated or settled to At a Town Meeting 17 of March
Estates Real as aforesd is ordered 1703

to be proportioned as ye Estates Then voted by ye Town & ordered
real was prized & Rated in ye year that John Hinckley Jun should have
1701 & where any part of such ye Town Book of Records for Lands
Real Estate is conveyed to other per- sd Town Book to be delivered him
son or persons since, sd rate was by ye Town Clerk, to take out &
made: that then to be Recoued to ye faithfully to draw out ye Records of
present owner & to be computed by all Men's Lands bordering on ye
ye Committee & sd Comaittee is Im- Commons & such writings as are
powered to apprize Mr. Russels' Es- therein contained as may be neces-
tate Real & in like manner he to re- sary for ye carrying on that work of
ceive for it; Dividing betwixt ye Towns Com-

At a Town Meeting ye 19th of Feb. mons and Mens' proprietyts & Hink-
1702-3, Left Collonel Gorham was ley to have Ten Shillings for his
chosen Moderator for that Day. true and faithfull performance of ye
same.

Then ordered a Committee to be cho- We, John Gorham, Samll Hinkley,
sen to receive to take ye number of Samll Allyn, Daniel Parker, & Eben-
ye persons Qualified to Receive and ezer Lewes being chosen a Commit-
ye number of Tenements to receive, tee at a Town Meeting 19 of Febr-
& to take ye quantity of each mans ary 1702-3 to hear ye pleas & claims
estate real as ordered and after a of each Proprietor of ye Common
schedule taken to be committed to & undivided lands in ye sd Town of
record & to state shares to Each Barnstable & to state ye propriety
Qualification According to Propor- thereof after ye whole shall be
tion after ye whole is Computed into computed into shares which computa-
Shares & shall in like manner be tion is six thousand shares, we hav-
committed unto Record which Com- ing heard ye several claims of ye
mittee shall have 3 shillings a day whole, have made and drawn a list
per man they finding themselves & or schedule of our settlement & re-
shall consist of five men who are solve, wherein is each person's name
hereafter chosen by sd proprietors with yr respective shares & propor-

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tion annexed thereto, according to ye 29th April & 6 of May 1706 Col Town's vote & committed to Rec- Gorham Cap. Otis & Sergeant Eben- ord, which record is a final Settle- ezer Lewes chosen agents to settle ment of sd propriety, saving Liberty the bounds between our Town & Yar- for any grieved person to try his title mouth, with full power to compound at ye Common Law the differences or submit them to

East End

Left Coll Gorham heads the Schedule 14th of August 1707, Mr. John Bacon (p. 127) with 62 shares & Lieut Lothrop were chosen & Im-

James Gorham next with (largest no. powered to treat with ye Indians of any) 74¼ about Oyster Island about ye pur-

James Gorham Jr next with 12½

Shubal Gorham next with 43½

Barnabas Lothrop next with 37¼

Mr. Thomas Hinkley Sr next with 40

John Hamlin has 71¼ shares.

Capt. Otis has 60¼ shares

Thomas Huckins has 72 shares

179 persons receive shares, and it Town to several Indians who desired is added "There is fifty shares be- it of you to plant or sow & to dwell longing to personal Rights yet undis- upon ye Island called Oyster Island posed of which ye Town then gave them

"Whereas it is doubtful to us that Liberty so to do. Namely Paul Um- some house that we have entered for phry & his son, James Richard & tenements are on ye Commons & so Isaac Wampum & Joseph Peter & are excluded by ye Town Act from his son—To which grant and Liberty taking as such, we do therefore de- given from ye Town Mr. Daniel Par- termine notwithstanding sd entry ker then Declared his Dissent. that where they shall so appear on (We first learned from the records ye bounding men's lands, they shall that there were any Selectmen in be excluded, according to sd act. 1696, when instructions were given them about the bounds of Yarmouth.)

this 5 of March 1702-3. John Gorham

Samll Allyn

Samll Hinkley

Daniel Parker

Ebenezer Lewes

This above was truly recorded as it Selectmen of Bl, and William Bas- was given in by ye Committee for set, John Smith, Daniel Allyn, Se- yr end. As Attest Samll Allyn, lectmen of Sh Same day, line run Town Clerk ye 8th March 1702-3 to west of same "with the help of

final arbitration.
At a Town Meeting ye 18 of March 1709

There was Liberty granted by ye

May 20th 1701, the bounds of Barn- stable & Sh were established & au- thenticated by the signatures of James Gorham & Ebenezer Lewes, set, John Smith, Daniel Allyn, Se- lectmen of Sh Same day, line run to west of same "with the help of

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Major John Thacher Esq. (p. 122) action of Trespass whereas he sd
 "At a Town Meeting. 5 of Feb. Lumbart improved it as ye Town's
 1701. Then voted and given to old Commons the above sd action to be
 Mr Robinson by ye major part of ye herd & Tryed in ye next Inferiour
 Town then present one acre and Court In Barnstable as per sd writ
 half of marsh. may appear."

19th of March 1702, Voted to sub- "4 of May 1709 at a Town Meeting
 mit to arbitration the claim Samll orderly named & met. Coll: Gorham
 Annable makes to land granted to chosen Moderator.

James pain & Capt William Basset Then voted that ye Town gives full
 & Justice Stephen Skiff were chosen liberty for ye Proprietors of ye Med-
 arbitrators with power to choose a dow at Sandy Neck or any parcel
 third. "& Mr. Thomas Hinkley was of them to erect & put up a fence
 then chosen to manage ye matter at ye most convenient place at ye
 aforesd as ye Town's Agent,. Re- West End or Entry of sd Neck,
 specting abovesd premises, "Feb 16, across from ye meddow over to ye
 1703 Voted that Annable shd have sea & continue ye same winter &
 5 pounds in full satisfaction for his summer seven yrs. & untill it be
 claim. otherways ordered for ye preventing

(P. 124) 22d May 1702, "Also, then horse Kind or neat cattle to go with-
 was voted Esq. Lothrop, Major Gor- in sd fence to fede ye Meddows or
 ham, Capt Otis & Mr. Thomas Hink- beech within ye same at any time of
 ley to renew or settle ye bounds be- ye year, nor tread ye beech, which
 tween ye Indians and this Town at heretofore hath proved very detri-
 Coatuit, Santuitt or elsewhere & to mental as by experience hath been
 use their prudence to act or do in found & that all Horse Kind & Cat-
 that affair for ye Town In Making tle found on sd neck within sd. fence,
 Compliance with sd Indians & sd shall be accounted Trespassers &
 Town, to defray the charges that dealt with as such.

may arise thereupon & to begin upon This order was approbated by ye
 sd service ye second Tuesday of Sep- Court ye 19 of May 1709. Ordered
 tember ensuing In order to ye finish- that Agents of lands for school & the
 ing ye same. Ministry should have "liberty to hire

16th December 1702. Mr. Thomas out sd lands for ye term of ten
 Hinkley & Mr. Daniel Parker made years for ye Towns use —

choice of as agents for the Town to At a Town meeting ordered named
 defend their Right in ye land at for ye 9th of April 1712. Then was
 Strawberry Hill that Joseph Hatch chosen for that day Coll. John Gor-
 layeth claim, therunto which sd ham [131

Hatch arested Joshua Lumbart in an Then voted (it being proposed that

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it is our duty to have two Meeting ye merchant at ye respective times Houses & two Ministers by divers of payment. Always provided that sd amongst us) that the Meeting be Mr. Russell do accept of sd yearly adjourned to this day three weeks payments for his sallary In full. In order to consider of sd proposals This to be made Known to Mr. Russell and that there be some of ye neigh- sell by ye persons undersigned viz. bour Ministers and others desired to Mr. Daniel Parker, Serjeant John be present at ye Meeting & yt sd Baker, Lieut Lewes, Lieut Lothrop & matter be then fairly debated & John Lewes heard & hear their advice thereon This voted by ye Town. & yt ye matter be determined by ye At a Town Meeting ye 17 of August vote of ye Town at ye same time, 1712, then was chosen for that Day all ye ordained Ministers in ye Deacon Job Crocker Moderator. County that may be obtained to be Then voted by ye Town that Mr. present at sd Meeting & the Dea- Jonathan Russell have a suitable settlement granted him, which if he accept them word for yt end. & Ensign cept he shall forthwith be ordained Parker, John Lewes & John Jenkins ed as a minister to ye Church & to draw up something In answer to Town—but always that ye settling and ordaining of him shall be no objection to ye church and Town At ye Adjournment above mentioned Either to ye Calling of another Minister to assist in this house or to be day. At sd meeting being held by come two societys when we can adjournment to ye first of May when unanimously agree to either of them. we had ye advice of ye Reverend El- Farther agreed and voted that foras- ders then present with us then pursu- much as ye Town is not at present ant to sd advice did vote a concur- in a capacity to provide a real settlement for ye Minister's accomoda- Mr. Jonathan Russell to be their tion & use that instead thereof the Pastor & make choice of him to be Town do give to and allow to Mr ye Minister of ye Town & do also Jonathan Russell two hundred vote to give him 80 pounds to be an- pounds to be paid after ye rate of nually paid sd Mr Russell if he shall twenty pounds per year annually in continue here in sd work & take sd case he continue in ye work of ye work on him and as long as he shall Ministry among us so long: if not, so continue here in that work sd money long as he shall so continue to be to be paid in Province bills or other paid twenty pounds per year, the money as it shall pass currant with money to be paid at such value as it.

BARNSTABLE TOWN RECORDS

usually passes or in Province bills. 1647 (page 133 et sub) orders adopt-
 At a Town Meeting January 27, ed for building general fence from
 1712-3 Coll. Otis chosen Moderator Coggin's Pond ye pond by Thos. Hink-
 for that Day. ley's to Stony Cove—lanes to have
 Then voted that there be a Commit- gates at upper ends—Mr. Allyn, Gdd.
 tee of twelve men chosen to consider Sherley, John Smith & Nathl Bacon
 what is ye present Duty of this Town to be Heywards to see to fences &
 In respect of Two Meeting Houses impound cattle, hogs &c trespassing
 or Societys & to Consider what ye Hogs to be yoked—
 Cost of building & settling two 135
 Ministers may probably be & if it Heywards shall determine part of
 be thought Convenient to have two general fence to built by each pro-
 to consider where they shall stand prietor & make it if he does not,
 & how money shall be raised & ye charging twice as much for their la-
 growing charge defrayed & make Re- bour as it is ordinarily worth, or if
 port to ye Town. they cannot attend to it, may sum-
 The men chosen for sd Service are mon all the interessors in the general
 as under written. fence who shall assemble to do it &
 Coll. Otis, John Lewes, Deacon Chip- receive forfeit as aforesaid. Hey-
 man, Coll Gorham, Ensign John wards shall break up the general field
 Thacher, Ebenezer Goodspeed, John when the corn is gathered in previ-
 Jenkins, Mr. Samll Hinkley, John ous to which, the cattle shall not be
 Baker, Mr. John Bacon, James Cole- permitted therein unless in a suffi-
 man, John Phinney Jur cient enclosure or under Keeper's
 Voted Mr. Daniel Parker Added care—under forfeit of 2 shillings for
 At a Town Meeting July 29 1713.. each mans default. Heywards may
 Voted that Mr. John Bacon, Lieut impound & receive the forfeit &
 Jos. Lothrop & Lieut Ebenezer half of it when any others shall im-
 Lewis be a Committee to have power pound.
 to bargain with Thomas Crocker Jr Heywards to inspect carefully and
 for such a piece of land as they shall frequently the fences in the season
 think necessary to enlarge ye bury- when the lyeth most exposed to dam-
 ing place & take care to get ye same age by cattle, for which they shall
 fenced in with ye whole burying receive a penny an acre besides the
 place in such convenient time as forfeit—Fence to be made by 16th
 they shall think fitt. of March
 1647—"ye 7th of January—"It is (136) Dec. 22, 1657 "Whereas at a
 also granted that Isaac Robinson general meeting of ye several inter-
 shall have all ye marsh that lyeth essors in the General field, specifed
 at ye end of his lot westerly. in an order dated ye, 28th of Feb,

BARNSTABLE TOWN RECORDS

1647 they ye sd Inhabitants have tion of ye corn for this present year given full power to Mr. John Groome, & for so long time as untill ye Town Isaac Robinson, Nathaniel Eaton, shall take some other course therein Thomas Huckens & Thomas Hinkley & it was further ordered as an addi- to order all such things about ye gen- tion thereunto that what order or or- eral field as may conduce to ye gen- ders ye aforementioned five men or eral good of ye several interessors any three of them shall agree upon therein as aforesd—It is therefore Respecting ye said field, shall stand ordered by them according to ye in force till ye town make some other power given them as aforesd as fol- provision therein". loweth, viz.

This Com. on the 24th of May Fences to be made by 11th March in 1662, made rules, fixing 6d a rod as default of 3d per acre to be spent in a penalty for defective fence & twice general field & if not made four days the charge of making it after one after 10th March to be put up at day's notice: also, that the compen- double cost to interessors. Gates sation of Heywards shd. be 3 pounds at lanes to be maintained & assigned per an. and appointed Thos. Huckens, to different persons for that purpose. John Davis & James Claghorn for Similar orders made Jan 25, 1652 & that year. March 21, 1663 they March 20, 1653 (p. 137) chose Nathl Bacon, James Lewes

Dec. 22, 1656 order, reciting great and James Cob. damages by neglect to keep the Feb. 7, 1668 they chose Abraham fences up— that they shall be made Blush, James Lewes & James Cob by 1st of March, as proportioned by Heywards & Nathaniel Bacon, Thos. Henry Cob, Nathaniel Bacon, John Huckens, John Davis James Lewes Gorham, Thomas Huckens & George & James Cob; to take a view of ye proportions of fence & land belong- Lewes

For six weeks after Indian harvest ing with the bounds, to be recorded the gates may be opened, but at no in the Town Book

other time. p. 139 Feb 7, 1671—agreement of Dec. 22d 1656. John Phinney, Thos. Hinkley & Thos. Huckins Thos. Lothrop & George Lewes Com about proportion of fence &c, about Coggins Pond & ye lane for protec- for that year

Resolved by ye Town this 21 of tion of General fields. May 1662 That Thos. Hinkley, Nathl Feb. 19, 1671. John Davis, James Bacon, Thos. Huckens, Joseph Loth- Lewes & James Cob & Kenecompsit rop & John Davis be empouered to to be Heywards & to report "defects" make such orders Respecting ye gen- to Jedediah Lumbart, who is em- eral field as may be for ye preserva- pouered to act as ye Companes

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Treasurer to levy fines & give a true account thereof."

14th April 1672, John Davis, James Lewis & James Cob chosen Heywards, James Lewis, Treasurer. Jan'y 16, 1673 Abraham Blush, Thos Lumbart & James Cob. Each Hayward to have 20 shillings in Indian Corn. Fines to be elected bye Com. by warrant of distress.

Feb. 26, 1679 Robt Davis, David Linnel & Henry Taylor—

No cattle to be let in till Oct. 15th Gates not to be thrown open till Nov. 5 annually & if any Yarmouth horses or cattle are in before the Haywards or any other may impound them & have 5d of each owner of such cattle or horses.

Dec. 31, 1685 At a meeting of proprietors of ye lands in ye common fields voted that no cattle or beasts shall be baited therein before Oct. 15, except working cattle & then "on owners bwn land only"—

Jan 26. 1685 voted by Prop's that Common fields shall be measured next summer to ascertain the proportion of each mans land & fence belonging to it by men under oath & any man who, after Oct, 15, shall put cattle therein in excess of his proportionate right he shall pay for excess.

Thos. Lothrop, Bernard Lumbart, John Gorham & Joseph Lothrop or any three of them, shall measure the land and apportion the fence, being allowed 1d per acre.

Feb. 13, 1686, at meeting of Prop's

—Jabez Lumbart and Nathaniel Bacon were chosen & appointed measurers instead of ye above named Thomas Lothrop & Bernard Lumbart—the penny per acre is to be paid in Indian corn at 6d per bushel

Oct. 10, 1656. Mr Thomas Prince & Capt James Cudworth having been ordered & requested by the Court to endeavor to issuing a controversy between Mr. Thomas Dexter and & some of ye neighborhood about a highway over a marsh of Mr Dexter, determined that those owning marsh above it & using the way, should pay Mr. Dexter 6d per acre for its use in full recompense, shd make and repair the way forever in proportion to the use each man made of it & shd shut gates & bars after use to prevent damage."

The names of those that are Interested In Marsh that needs ye priviledge of sd way as followeth—Samll Hinkley

Peter Blossom

William Crocker Thos Hinkley

Samll Fuller Robert Parker

John Chipman Mr. Linnel

Also, ye. sd Mr. Thomas Prince and Capt. Cudworth do. allow ye sd foot way laid out by ye jury over some land of ye sd Thomas Dexters himself likewise contented therewith.

also ordered ye day and year afore-said by ye sd Mr. Thomas Prince & Capt James Cudworth yt ye Determination of Bernard Lumbart whre ye. bounds of mens upland and Marsh is Shall there be kept to ye

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issuing of any controversy between to be painted in the same manner
Mr. Thomas Dexter and any of ye as the house is that stands near
neighbourhood on that account. Jabez Howes in Yarmouth. Bearse et

Finis—

p. 144 Perambulation of bounds of Yarmouth & Barnstable 24th May 1803, Farm formerly Job Gorhams to be taxed in B & Timothy Hallets in Y. Abner Taylor Thomas Thacher	other ½ (Except the ministers pew & to have \$1100 (March 15, 1796) (150) John Gallison sells the same piece of land on South side of the East Precinct in Barnstable to same persons as above (Bearse et al.) for church p. 193
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Eben Bacon

Y
Bl

Richard Lewis

p. 145 do. of Sandwich 26 April 1826 Lemuel Nye Asa Hinkley Melatiah Bourne, Henry Lawrence, Selectmen of Sh Josiah Hinkley Town Clerk.	“We certify that Isaac Smith of the Town of Barnstable is a member of the religious society in the Town of Barnstable called Methodists: dated this eleventh day of May A.D. 1812 Ebenezer Hinckley James Fuller
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p. 146

Perambulation of Mashpee & Bl, bounds, April 19, 1803

David Parker, George Miller,
Guardians of Plantn Maspee

Eben Bacon

Nathl Jenkins

Bl

p. 147 Partition of fence May 17, 1823 (p. 194)

1793 Eben Bacon T Clerk.

p. 148 Agreement by which Micah Hamblin agrees with Lemuel Bearse, Eleazer Scudder & Elisha Blish to build a meeting house on the North side of Phinneys lane, between Mr. Joseph Phinneys & Mr Solomon Phinney dwelling house—to be 46ft. long 38ft wide 21½ft high. 14ff sq. 21½ ft high lathed & plastered—42 pews—a neat color—a gallery House & windows	(p. 202) Nov 27, 1816. Ansel An-nable sells Isaiah L. Green pew—be-ing wall pew on South side of North Meeting house in Bl. (205) Feb. 1, 1805 Hannah Doane, of Boston, sells ½ a pew in same to Hezekiah Doane of Bl. Shipwright. (207) Fence viewers assignment of partition fence 1818 House to be (209) Marriages by Revd Josiah Sturte-vant sale July 15, 1822 of Ebenr
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Bacon's ½ pew in meeting house at W. B. (219) sale of pew in Baptist M H. at Hyannis 1825 (246) sale of pew in M. E. M. H. 1826 subject to the following conditions viz. that the pulpit of said meeting house shall be supplied by the Annual Conference of the Methodist Episcopal Church agreeable to the rules of discipline. And the Methodists in Barnstable may occasionally and exclusively occupy the aforesaid Meeting House for their Love Feasts and all other church meetings for their benefit." Naler Crocker Town Clerk, 1823 James N. Howland Town Clerk 1825 Josiah Hinckley Town Clerk 1826 Calvin Stetson 1837 Fredk Parker 1844 F. G. Kelley 1847. (260) Perambulation of boundary line of Bl & Mashpee May 18, 1826 Naler Crocker Lemuel Nye Sectmen of Bl Gideon Hawley Nymphas Marton overseers of poor. (265) Recital in deed of purchase of pew in 1st Universalist M. H. in Bl. of Props Jan. 15, 1831 (P. 280) Three bills of sale of horses and wagons 1837 (P. 284) July 1837. Chipman Hinckley, Nathaniel Gorham & Joseph Bodfish reported to the town "that in 1714 & 1715, the Proprietors of Sandy Neck laid out 20 rods from common and ordinary high water mark upon the North side of Sandy	Neck for the Proprietors & Inhabitants of said Town to pass and re-pass as occasion may require. We have also measured off the said 20 rods from what we call common and ordinary high water mark from one end of the Neck to the other & set bounds and caused the same to be recorded on the Town Book" (288) Nov. 29, 1837 Bl & Yar Bounds perambulated Jas Matthews Saml Thatcher Ichabod Sherman Selectmen of Bl. Henry Crocker Nathaniel Hinckley Saml Pitcher selectmen of Bl. p. 291 May 2, 1838 (Sandwich & Barnstable bounds perambulated) Nathl Hinckley Danl Bassett Selectmen of Bl Jesse Boyden Jno. B. Dillingham selectmen of Sh Dec. 13, 1838 Bl. & Mashpee do N. H. D. B. as above Solomon Attaquin Moses Pocknett selectmen of Mashpee (P. 293) "Return of names enrolled in the Militia in 1840 First Company 229 2d 132:—361 whole number 368" 1841 Return of Militia (p. 302) Do for 1842 whole no. enrolled 275 Do for 1843 whole number enrolled 354 p. 314 Bill of Sale of Dry & other goods— (317) Perambulation of B. & Y. Nov. 29 1842 Lothrop Davis, Seth Hallett Bl
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Jas. Matthews Ichabod Sherman Yar. & then was voted to allow him six shillings ye day for his services: (18) Do. Dec, 20, 1847

Jas. Matthews Sam. Thacher Y agreed on and ye. Mr. John Bacon Nathl Hinckley Arthur B. Marston & Mr Samll Hinkley did manifest yourselves to be utterly against allowing him that money: and desired to give dissent &c." (Handwriting of selectmen Bl— Bl & Mashpee Bl & Sh Lothrop Davis Selectman Seth Hal- John Otis)

lett 1842 At sd. Town Meeting abovsd. then Charles C. Bearse Fredk Scudder was voted for Mr. Daniel Parker Lothrop Davis 1849 and Mr John Bacon agents for ye Daniel Bassett F. S. & C. C. B. 1852 Town to look out for a schoolmaster Nathl Hinckley Jos. R. Hall, Ebenr to serve ye Town for ye year ensuing & to provide him at the Town's Bacon 1858

1865 C. C. Bearse Chm of Selectmen Charge.

Eben Bacon of Bd. Joseph R. Hall Dec. 1814 Dan'l Parker chosen representative April 1871 Nathan Crocker Samuel Left. Lewis, Left Lothrop, Ensin Snow Baker Serj Jos Smith John Lewis, Selectmen—Town Clerk Samll Allyn

1871 June 1 Andrew Lovell Simeon Apr. 21, 1715 Col. John Otis Moderator L. Ames

John Otis m. Mrs Mercy Bacon July 18, 1683 per Gov. Hinkley

John Otis Town Clerk 1713 Town will join with Sandwich & Falmouth to give 20 pounds bounty for every full grown wolf killed.

In this year it was voted that inhts. Col. Otis, Col Gorham. Esq Parker & of each end of the Town shall meet together to select spots suitable for Lt. Lothrop shd take care of ye the meeting houses when the town shd. think itself able to build. school house on Strawberry Hill—meeting to choose Jurymen for ye that it be not infringed or encroached upon.

Superior Court, held March 18, 1713-4 To give the widow of Mr. Russell Col. Gorham. Moderator Tithing men 60 pounds

Col. Gorham. Moderator Tithing men elected—& clerk of ye Market

Eben Lewis John Bacon John Lewis Sept 21, 1714 Town voted to pay for sweeping ye meeting Hous 1:10 selectmen.

"At a Town Meeting orderly nam- May 12, 1715 Left Joseph Lothrop ed for ye choosing of Representative chosen Rep. & allowed 5s per day. for the ensuing year May 17, 1714, 1716. Daniel Parker.

then was chosen to represent the Esq Parker chosen agent to defend Town at the General Court holden in presentment for not having a pound.

Boston ensuing, Mr. Daniel Parker At a Town Meeting orderly warned

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ye 6th Sept. 1715 voted
 For Mr. Russells Sallary for this year & settlement 100:0:0
 Allowed also for ye Widdow Russell 30:0:0
 Towards supporting a School-master &c 35:0:0
 Toward ye Killing of wolves 30:0:0
 For Representative 20:0:0
 For sweeping ye Meeting Hous 1:10:0
 For the poor 9:0:0
 For repairing the Meeting Hous 3:0:0
 For ye buring place—gate making— 10:0
 voted James Hamlin, son of James Hamlin be desired & empowered to look after the boys on Sabbath, to prevent disorder—
 Oct 13, 1715 Left Jos. Lothrop Moderator: "then .voted at sd Town meeting to have two meeting houses.
 Feb 28, 1716 Col Otis Mod. voted not to divide the Town by families so that each cd. determine place where meeting houses shd. be.
 John Gorham Jr. chosen grand juror.
 Mch 20, 1716, Colonel Gorham Mod— yn was chosen Mr. Jo Bacon, Mr. Joseph Smith & Mr Jo Thacher for Selectmen &c.
 27th Oct. 1716, Col Otis Moderator, "It was voted to choose a Committee to lay before the town upon their consideration of the matters in debate what they judge might best conduce for ye peace & quietness of the Town & the Committy then chosen were Colonel Otis & Col John Gorham (last named, apparently of 20 members—20)
 At a Town Meeting ye 30th of October 1716—"The return of the Comitty to the Town who sat in Barnstable the 26th of October. 1716. Then proposed by the Committy met together pursuant to a vote of the town whether there is any thing of necessity to be done by the town to prevent further & future difficulties as to our curcomstances relating to two meeting huses therein: answered in the affirmative with unanimous consent & voted by ye Town as sd Town meeting."
 March 20, 1777 Left Ebenr Lewis Moderator
 Selectmen Capt. Lot Joseph Smith & John Baker
 Barnstable Feb. 1777. To either of the Constables of Barnstable greeting
 You are directed & ordered to give notice to ye Inhabitants of this Town that they meet together on Thursday next at ten o'clock in the forenoon in said day at the usual place: That then the Town's mind may be Known by their vote, Whether they will grant the divers proposal hereafter mentioned by divers of the inhabitants of sd Town
 That ye mind of the Town may be Known whether or no they will grant the request of ye Inhabitants of ye South side of ye Town that they may have leave to build a Meeting House on ye South Side for carrying on ye Publick Worship of God when they are able.

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That their minds may be Known one, the same Committee to divide whether they will raise money to ye Town in order for each precinct build one more meeting house in said or Society to act for themselves. Town to be sett abt at ye West end That the Town make choice of a man of sd Town, as may be appointed by to look after the burying place and a Committee out of Town, and also repair any breaches as there may be to raise money to pay for ye meet- occasion.

ing house already built in said Town That the Town choose a committee on condition it shall stand where it of wise, indifferent persons, to refer does and both houses be the Towns all our difficulties unto for a final and improved for public meeting determination viz. what number of Houses, and a minister forthwith meeting houses may be necessary called to preach in ye new meeting att present, and where they shall House. stand or be placed—If they deter-

That the Towns mind may be Known, mine more than one needfull And whether they will grant that the East whether it is necessary or advisable end of the Town may be a Precinct to divide the Town into precincts, to act by themselves, to extend from and if so then to do it for us. And Yarmouth line Westward to ye way to determine whether the new meet- that leads from James Lewis Dock ing house in this town built by par- up into ye woods by Nathaniel Ba- ticular persons shall be improved for con's and from the North Sea half a publick meeting house and upon way across ye land to South Sea re- what terms. And in case there be serving liberty for any that dwell occasion for more than one minister within sd bounds to attend ye Pub- then the sd gentlemen to give us lick worship elsewhere if they please their advice whether it best for ye in sd Town and to pay to such min- town to vote ye present minister to ister where they shall attend. have his choice which part of ye

That the Town's mind may be Known Town to settle att or to leave the whether Mr. Russell our present min- Determination thereof to a Council of ister shall have liberty to make his ministers.—or to determine it by a choice which Society he will be of lott. Also whether the Town will and preach to, if we divide into two give leave to all those persons that or more. have been at ye charge to build ye

That the town choose a Committee new meeting house, forthwich to call of indifferent men, who shall have a minister to preach ye Gospel in sd full power to determine whether it house on that condition that they will be best for us to have one, two that attend the publick worship there or more meeting houses, And if they shall at their own cost pay to sd determine it best to have more than minister a suitable maintenance and

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not be released from paying same Col. Otis, Esq Parker, Capt Lothrop
until ye town see cause to release— & Capt Bacon chosen committee to
John Bacon dispose of old meeting house for the
etal. Town when the West Precinct have
May 16 1717, John Bacon chosen built their meetinghouse (p. 13 vol 2)
Rep. 5th of May 1719 Cap. Jos Lothrop
25th September 1717 voted "Mr Gar- & 1726
ret's Killing a wolf 9 pounds 1720 & 1721 Shubal Gorham Rep
March 4, 1718 Selectmen, Capt, 1722-1725 Major S. G.
John Bacon Left. John Thacher & 10th May 1722, Col. Otis appointed
Serjeant Joseph Smith Chn of a Com. to see where house
"Voted yt the former act made for for the poor can best be erected—
the Incouragement of the Killing of 16 pounds raised for Rep. 50 pounds
wolves is repealed and no more shall for school master &c.
be paid by this town for the Killing Sept 8, 1723. Major Gorham & 2
of wolves till the Town see cause others appointed on part of town to
otherwals to order" bring by arbitration to an issue the
Then at abovesd Town meeting ye controversy with John Bacon Esq the
return from ye General Court in Bos- title to land where stands the school
ton of ye Towns settlement into two House at Strawberry Hill (?) & to
two precincts was publicly read— fix boundaries & settle the suits—
13th May 1718 chose 3 selectmen to March 19, 1734 Ct of Sessions (John
add to Mr. Bacon & Left Thacher Sturgis Clerk) approed bylaw that
viz—Esq. Parker, Ensign Bacon & all male inhts 24 yrs. old or married
John Lewes shall kill 4 grown crows, blackbirds
May 22 1718. Chose Capt Shubal or blue jays an. on penalty of 9d
Gorham representative per head—except aged, infirm minis-
2 March 1719. voted to raise 120 ters & school-masters.
pounds for settlement of a minister p. 60, 1735 Sheep shall from Dec. 1
when Mr. Russell is settled in one of to March 1 an. with redding, black-
the two precincts ing or other colouring to distinguish
voted to raise 60 pounds, 40 pounds them from strays. March 11, 1735
for 6 mos. salary of Mr. Russell & 40s encouragement for every wild
20 pounds for new minister cat & 20s every young one killed.
Col. Otis, Esq. Parker, Capt Loth- 1736 p.63 Com to report on condi-
rop, Dea. Chipman, Left Lewes, John tion of Great Bridge.
Lewes, Left. Thacher & Capt Crock- June 30 1736 voted not to lay out a
er com. to wait on Mr. Russell and way from Dea Bacon's Gate to ye
ask him to make choice wh. pre-Mill, because "the Town presume
cinct he will go to to be minister of. they have had a Gate from sd Gate

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to ye mill below Capt James Lewes ing or precinct he wd. go to preach Line out of mind." do. Town Clerk be put upon record &c. which is as to transcribe from old Town Book followeth "Whereas this Town is into new one such articles as now divided & become two precincts are likely to be of future use & 5 & have (by Committee chosen for yt pounds to be allowed him towards end) made application to me according transcribing. Jan. 6 1736. to have to the Town's vote to know what two grammar schools— but 11th presinct I would be minister of or March voted to proceed no farther preach to, I therefore by way of an- therein unless two Masters are al- swer reply, yt though I was settled ready engaged. with so great unanimity both in

At meeting March 25, 1736 at East Church & Town as yt neither pre- Meeting House "Deacon Baker chose cinct hath more reason to reject mee Moderator & disaccepted. Capt Loth- than I have to leave the whole and rop chose & disaccepted. Dr. Russell desire my dismissal, from them & chose Moderator & accepted." 1737-8 though on divers accounts it seems Dr. Russell chose Representative— most natural for me to abide in the Col. Shubael Gorham, Serg't Joseph precinct where I now am; yet since Smith David Crocker Esq Selectmen there is such a number who are so May 16, 1739, at meeting at East M prejudiced or disaffected and so sett H., Col. Gorham Moderator & chosen against my being there; as yt my life is likely there to be rendered less representative.

"voted that Deacon Baker & Mr. Jos- comfortable to me & perhaps my eph Hamlin be appointed a Commi- ministry less profitable to them—to- tee to treat with Mr. Marston about gether with some other reasons yt a passage for alewives thro his dam, might be mentioned; presuming also view the premises & report to Town yt there is a very general if not uni- thereon" 1739 Marston 1st time versal desire in the West End yt I "Selectmen allowed for making rates should come to them; presuming like- A.D. 1739 viz. wise yt you will shortly be in a

To Joseph Smith 7 days, 2:2.
To Deacon Davis 7 days 2:2
To David Crocker 8 days 2:8
To sd Crocker for Expenses viz 22
dinners at 2s 2:4
2 horses 7 days at 1s 14
20 sheets paper 2s—6d 2:6
At the Town Meeting the 3d Septem-
ber 1819; then voted Mr. Russells
choice which he made to which meet-

readiness to receive mee; I think it best for me to decline a settlement in ye East, and rather prefer a West- ern Settlement if it may by any means comfortably to be obtained. Wishing the Spirit, presence and blessing of Christ may be afforded to both precincts, I subscribe yours- in him JONATHAN RUSSELL
Barnstable

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April 23d 1725, Col. Otis Mdr. ask for term of Superior Court here
 Proposal made at sd. meeting by 1727 120 pounds to be raised for
 John Bacon Esq in the behalf of Town Charges.
 himself & Mr. Samuel Annable re- Name of James Otis first appears in
 lating to the action now depending Town book Jan. 11, 1727 (drawn as
 in reference to their demands as to petty juror) Mch 15, 1728 surveyor
 a division of the Common meadows Oct. 31, on following Com., Jury man
 &c— as followeth July Court 1728

I If the Town will defray the Oct. 31, 1727 Major Shubael Gor-
 charges of the sd action which they ham was made chairman of a com of
 have been at hithertoo. That they 13 to prevent Indians, negroes & oth-
 the sd John Bacon & Samuel Anna- ers, disorderly persons, found often
 ble will bear their own cost & ex- in the night season; and frequenting
 pence that they have been out hereto. of publick houses after nine of ye
 2d—That they will then withdraw clock in ye evening contrary to law-
 their appeal and prosecute ye matter March 15, 1728 voted to have but
 no further. 5 selectmen, Major Shubael Gorham

3th That Iff the major part of the Modr & Chn Bd Selectn.
 proprietors will subscribe & promise May 9, Col Shubael Gorham Mod &
 to forbear the continuing or prosecu- chosen Repe
 ting of any action of the like nature Town voted to take its part of the
 for ever, they will do the same. These 6000 pounds loan. Voted that the
 proposals were accepted by the Town Trustees shd. not let out less than 5
 & the clerk was to take the vote and pounds nor more than 10 pounds the
 obtain as many signers as he can— first day—not more than 20 pounds,
 signed by 37— Jno Otis, Sr & Jr. second, to any one man after the 2d
 Shubal Gorham & S. G. Jr. day to rise 10 pounds per day, To
 loan on personal security; of a prin-

John Bacon occasionally Modera- cipal & security, both to be freehold-
 tor ers; chose three trustees ie Col Shu-

March 17, 1726 Col Otis Mod. Ma- bael Gorham, Major John Thacher,
 jor Shubal Gorham chairman of Se- Mr. David Crocker, who were to have
 lectmen (S) 1d comn Voted, that the 4d per

Nathl Otis Town Clerk 1725-6 an. be pd to Province Treasurer &
 March 3, 1727 Major Shubal Gor- the 2d to Town Treasr

ham, Moderator Chm of Bd. of Sect- 29th May 1728. A com, was ap-
 men, of the Surveyors, Moderator pointed to prevent encroachments on
 March 31 27 lands "laid out for public & pious
 Capt John Otis Modr at meeting uses."
 Jan, 11. 1727

Sept, 21, 1727 Rep instructed to Selectmen 1729 Col. Shubael Gor-

BARNSTABLE TOWN RECORDS

ham, Major John Thacher Capt. Joseph Hinkley Dea Saml Chipman Lieut Joseph Smith Jas Otis surveyor. Sylvanus Bourn in place of John Otis decd, to manage the school lot-

Jan. 15, 1729 meeting to choose jurymen

March 7, 1729 meeting to choose Town officers—adjourned to March 27

April 2 meeting to choose Jurymen

May 19 meeting to choose Representative

June 11 meeting to choose Jurymen

Oct. 14 meeting to choose Jurymen

Oct. 29 meeting for school and other business

Dec 29 meeting David Crocker chosen Town Clerk in place of Nathl Otis—deceased — 9 Town meetings

Mch 6, 1730 Col. Gorham Modr & Chn Selectmen

3 Surveyors of West, among whom Capt. John Otis

3 Surveyors of West among whom Col Shubael Gorham

P. 38. 40 pounds due E. Precinct Bourne lived there

Capt. Lothrop, Major Thacher & Deacon Baker, Com. to purchase a spot of land for a burying place at the West end of the Town

1731 S. G. Chn Selectmen & Moderator

1732 S. G. Chn Selectmen & Moderator

James Otis

James Otis jurymen 1727—8—Surveyor, 1728; on com. to suppress disorders: 1731: Mr. Bourn and ib to prepare proposal as to Province Treasurers Comn on Treasury.—Report, Vol 2 p. 42—1732 on Com. to consider cattle &c on Sandy Neck Report p. 45 (refers to use of Sandy Neck for whaling.) Aug. 15, 1732 James Otis, Moderator—& on Com. of wh. Col Gorham is Chm to prevent disorders by Servants & others p. 45 — of town to provide schoolmaster — 1733, fence viewer; on Com. to prevent trespasses on lot near middle of the Town laid out for public and pious uses; On Com. to consider of sale of the School lot — Oct. 23d 1734, James Otis Esq. Com on sundry matters

Jan. 9, 1735. Moderator: (p 64) of Com. to rebuild ye Great Bridge

Oct 6, 1737, Moderator; Petition of Harwich & Towns below that March 3d 1737, of Com. to oppose in Gen Ct, the 2

Oct 6, 1736, Moderator; terms of C. Ct. are to be held in Eastham.

March 3, 1737 an. meeting—Expenses & 30 for trouble (3) & many other occasions

March 12, 1739 James Otis, John Otis Sylvanus Bourne, Col. Gorham et al chosen Hogreaves- (p. 76)

March 30, 1742. Moderator

1741-2 on various committees — 1744 Towns Ag't about Benj Marston's petn to Ct Gen. Sessions abt way & bridge

1744. Selectman — also 1745, 1746-7-8 1749 — 1760-1-2 — 1768-9

BARNSTABLE TOWN RECORDS

Representative 1745, 1746-7-8 (all 80 Nathl Otis born ye 9 of April 1743 & polls") (1755 unanimously 70) 9-51— died ye 13 of April 1743.

52 — 53 — 4-5 1756 — 1760-1-2-(cho- Oct. 20 1768. Col. Otis Moderator.

sen May 12, but Ed. Bacon chosen Joseph Otis Esq. (43 yrs.) was cho-

Sep 20 following — probably Col, sen chm of agents for West Prect.

Otis of the Council)" School District-

1767-8-9-'70 — Elected to Council & on two committees.

(170) "Com. to Keep ye West bury- March meeting - 24, 1772 at East

ing place fenced & notfed— M. H. Col. James Otis, moderator,

Mch 23, 1747 Major John Otis Mod- his son Joseph was chosen select-

erator at many meetings & on many man in his stead. Meeting was ad-

Coms on 5 such at March meeting, journed to March 30 at West M. H.

1759— Col. Otis still Moderator. "Voted

1761-2-3-4 was almost invariably Mod- to give the Hon. James Otis Esq.

erator & on every important Com- Thanks for his good services he has

mittee. First on Herring Brook done this Town" 45 years. He was

fishery in 1741 — to 16 — 26 yrs. then of the Council, May 21, 1772

again in 11 again Moderator. & March 10, 1773

P. 210 "London Negro man, servant He had probably declined to be again

to James Otis Esq and Bathsheba Selectman—

Lowardy, an Indian, Dec'r 19, 1760 March meeting, March 8 1732, there

Notice Entd & Pubd— were chosen—

Vol 2, p. 307 "James Otis and Mary 8 petit jurymen for March Court

Allyn, married by Mr. Elisha Wil- 6 jurymen for Superior Court

Hams of Wethersfield May the 14th Town Meeting March 9 chosen

1724 Their son James born 5th Fery 5 selectmen, 3 Constables, 4 Survey-

1724-5 Son Joseph born March 6th ors, 4 fence viewers 4 Tything men,

1725-6, Mercy 14 Sept. 1728 — Mary Town Treasurer, Clerk of the market

9th Sept 1730 Hannah — 31 July Sealer of Leather, Town clerk 7 Hog

1732, Nathaniel 9 July 1734 and died reeves, Com of 9 about Sandy Neck

13 January following— Nov. 29, 1732 (p. 47) Report as

Martha born Oct. 9, 1736 died Nov. to division of schools in E. & W.

25 following Precincts — in each 1 year, When in

Abigial, born 30 June 1738 died 31 E. P. school be Kept near M. H. 42

July 1738 weeks & new House of Thos. Had-

Daughter Elizabeth Otis, born 1 Sept, daway 10 weeks — when in W. P.

1739: Son Samuel Allyn Otis, born near house of Mr. John Howland 33

Nov. 24, 1740 weeks near house of Benjamin Good-

Sarah Otis born ye 11 of April 1742 speed Sr 14 w. 3 days & near house

& died 5 of May, 1742 of James Lovel Jr 4 w 4 days — This

BARNSTABLE TOWN RECORDS

arrangement for 4 yrs. (Col. Gorham resigned or decd?)
 Mar. 13, 1733 Edwd Sturges chosen 1740 John Gorham, David Crocker,
 Constable & declined. Voted, that Robt Davis Selectn
 Selectmen summon him to give rea- 1740 1st mention of Cornelius Crock-
 son if any there be why he don't pay er (as Grand Juryman)
 his fine for not serving". 1741; S. Bourn Rep. 2d time at West
 Major Thacher, Serj't Smith David M. H. May 13
 Crocker Selectmen (5 for some yrs) & 1742 S. Bourn Rep at East M. H.
 p. 49 "Schoolmaster be desired to June 24.
 refuse to entertain or instruct any Oct 19 to build house (for 30
 child whose parent, master or guar- pounds) for Saml Phinneys use at
 dian does not provide proportionate West end as one of the poor of the
 share of wood or money to procure Town; house to be for Town's use
 it" from time to time." House, however,
 Town meetings sometimes held cost 41:8
 in East & West meeting houses for March 11, 1741. Ebenezer Bacon
 specific purposes (see p. 49) Constable — John Otis Esq Town
 May 23, 1733. Shubal Gorham ap- Treasurer several yrs.
 pointed to procure assent of Gen. Ct. Joseph Lothrop, James Otis, David
 to sale of lot reserved for support Crocker Esqs. Com to consider ex-
 of schools & proceeds to be invested pediency of Towns making a bridge
 on land security for same purpose across road near Mr. Benj. Mars-
 (53) Mch. 13, 1733. that common ton's mill on account of breach made
 marsh be improved towards support by the water from mill pond & also
 of Town's poor what shd. be done to promote pas-
 For several years Capt John Otis & sage of alewives above the dam, ac-
 Major John Thacher, moderators of cording to law.
 Town meetings— p. 86 charges of Town abt poor &
 (see page 46 — over for doings of sick Indians & Rep. for 1742 to mem-
 several yrs here entd there by mis- orialize Gen. Ct. for reimbursement
 take) over & security agst future charge
 Mch 12, 1739 Premium of 4d per Dec. 16, 1742 Benjn Marston, one of
 head on crows, jays & blackbirds 3 school agents
 killed by inhts of Bl. bet. 10 April & March 21, 1742 30 pounds to Clerk
 10 June for transcribing records out of Old
 May 21, 1740 at West M. H. Col. Gor- Book. James Otis 3 pounds, John
 ham Representative On same page Sturges 4 pounds, Joseph Lothrop 3
 entry of meeting 12th June 1740 at pounds for comparing the records.
 East M. H. when "Major Sylvanus 1743, Robert Davis Rep. by major
 Bourn Esq. chosen Representative" part of ye Electors present

BARNSTABLE TOWN RECORDS

1743 p. 97. James Otis Chn of town er a man's being a non-electer is a reported scheme for school round the bar to his being chosen Town Town 4 yrs. 5 mos Treasr" voted NO. Dissent re-
Dec. 17, 1744, Col John Thacher Mod- corded by order of Moderator Col.
erator Bourn, of Col. Otis, John Otis & 24
p. 102. others—

Mch. 18, 1744 — voted that Benjamin Isaac Hinckley. Town Clerk—
Blatchford's daughter be under ye Jan. 4, 1750 William Lovell gives
regulation of ye Selectmen as to a Town land for burying ground on
Doctor—Jas. Otis Chairn South side on West side of way
17th May 1745 Voted to remit cer- Northward of Jacob Lovell's home
tain taxes to Ebenr Bacon, "late con- land—not signed though T. Clerk
stable, as desperate." certified "Compared"

Mch, 1747 — 10 s. for one yr. for "Informers of Deer, Packers of fish,
every red fox killed, ears brot to Se- Surveyors of flax &c &c chosen at
lectmen different times — Abt. Common

p. 114 Shubael Gorham & Elisha Fields — Sandy Neck Wood Corder-
Lumbart give land for way from Lt. Mch. 14, 1753 "Voted by the town
Ebenezer Leyes land to ye Old try that they will give to Nathll Ewer
House & so to ye Shoar at South forty shillings lawful money towards
Sea" Mch. 21 1747 Edwd Bacon's his charge in sending for Doctor How
name first appears as witness to to his son Silas, in case the Doctor
these deeds 36 yrs aft is sent for — Also, it is desired by
May 16, 1748 Col. Sylvanus Bourn, the Town in case the Doctor comes
Moderator. that the selectmen apply to him in
May 16, 1748 Voted 10 pounds old behalf of Joseph Ewer and use their
Tenor to Mr. Marston in full for discretion as to improving of him."

Herring passage 1754 Robert Davis chosen Town
July 6 " leave for Elisha Lumbert Clerk
to build wharf at his own cost. and Silvanus Bourn, Joseph Blish Jr, Dan-
end of new way at West side Hyaniel Davis selectmen in 1752 & sevar-
nos Harbour. Inhts to land them- al years after.

selves and goods, wharf free 1754 (p. 145) By law about colour-
p. 124. Col Otis agent to petition ing stray sheep with three distinct
Gen. Ct. for act restraining "rams strokes across back & ear marks to
within this town from time to time, be entered with Town Clerk
so that Lambs may come sooner" — Aug. 22, 1754 "voted that that part
Edward Bacon Juryman 1749 — 37 of the Excise bill which relates to
yrs. ye private consumption of wines &
March 18, 1750. on question "wheth- spirits distilled in their opinion is

BARNSTABLE TOWN RECORDS

salutary and necessary— passing af- 1762 — Aug 23 1774, Jan 4 1775
firmative— Town Clerk 1764-5-6-7-8
page 148 settlement of schools—Col. Selectman 1756-7-8-9-60-1-2-3—
Otis chn of Com At town meeting 1769 — no office

1756. Daniel Davis, Edward Bacon, except to settle with Town Treasur-
Isaac Hinkley Jr. Selectmen (1757 & er
1758-9) John Gorham Esq. Modera- p. 160 Disposition of Schools for 4
tor (often about this time "Voted, yrs & 5 mos. 1757
that Mr. Marston shall have liberty Nov 25, 1758 "voted to dismiss Mr.
to catch one quarter of ye alewives Benj Marston's request Respecting
that may be ordered for marketing his having any part of the priviledge
for this year for his own use for ser- of the herring brook near his mills.
vice done to let the fish up to spawn same action 1759 (p. 167)
& for that he is to take care to let Voted to inspect Selectmens accts
them down". for Extraordinary Expenses & Ser-
(p. 154) "Voted that Cornelius Dex- vices about the small pox & report
ter be under ye immediate inspec- certain of those accts allowed p. 164
tion of Mr. Isaac Hinkley Jr & in Among others acct of Sheriff Gor-
case he misbehave ye selectmen are ham(?) 8s
directed to regulate him as ye law same meeting, Cornelius Crocker &
Directs." Orris Bacon to "make a fence round
May 5, 1756 John Bear chosen petit East burying ground adjoining meet-
Jury Superior Court ing House — of boards & white oak
July 21, 1756 Josept Otis Esq. chos- post on fore side and the posts and
en Moderator rails now there to be used to amend
Voted Surveyor in ye West Pre- the back side"—C. Crockers bill pd
cinct be Desired to take proper aid (p. 168) 9:1:4
to clear out ye Rubbish & foundeours 2 shillings to any one killing a Red
remains over Mr. Marston's waste fox, old or young (167)
water so that it may not be so dan- Voted to fence burying ground in
gerous & the selectmen shall make East end of town, near Ebenezer
application to Ct. G. S. for a way Bearse's Daniel Davis, Edward Bacon,
round by Joseph Goodspeed's James Otis, selectmen of Bl1760 —
Edward Bacon chosen Representative Ideal Board & 1761
1757-8-9-1762. Joseph Otis, surveyor of ways.
Sept. 20 (after Otis prob. chosen of Otis many years chn
council) 1772-73-74 — 1778-79 —twice "Regulators of the Herring Brook"
(March 18, 1777 — Mch. 18d p. 172
1779 do. 3) Informers of the breakers of the
Do Moderator (Sept. 27, 1757 Jan 6, Deer Act

BARNSTABLE TOWN RECORDS

Committee to answer petition of men's land adjoining"—
 Towns in the County, Respecting the "Voted that the Selectmen Inquire
 lessening terms of Court see Memor- into the circumstances of Joannah
 ial among papers by E. Bacon—Jas Bearse and take care of her if they
 Otis, David Gorham, Ed. Bacon. think it necessary and inquire into ye
 1760 Benj. Marston to have $\frac{1}{4}$ matter of the Estate her late hus-
 herrings, if he can free passage way band left her for her support & to
 up & down & keep his dam in re- see if the same be not embezzled or
 pair between the Ponds & erect same lost."
 if any accident happen thereto the Jas. Otis, Edd. Bacon & Nym Mar-
 ensuing year. ston to repair great Bridge & Bidge
 Oct. 21, 1760 voted to have two near Mr. Marston's,
 school masters, one in West & one May 12, 1763 & May 17, 1764, Cor-
 in E. Precinct Nymphas Marston et nelius Crocker chosen Rep.
 al Com. in West & Edward Bacon Nov. 25, 1763 Coll Otis Mod. Vot-
 Chn of Com, in East ed to raise 133:6 to defray charge of
 1762 Jas. Otis, Edward Bacon, Nym- building & repairing Great Bridge
 phas Marston, Selectmen Town Col. Otis agent for the purpose
 Clerk, Daniel Davis — Ib. in 1763 200 pounds for other town charges—
 The "School lot" was near the To employ 2 schoolmasters
 beach p. 183 1764 selectmen Isaac Hinckley Nym-
 Burying grounds looked after; to be phas Marston Daniel Davis
 looked after; to be kept fenced &c— April 13, 1764. Nymphas Marston Esq
 at East part and at the Highannus" Moderator
 "voted that no person shall be en- p. 201 Marriages solemnized by Rev
 titled to any bounty for any young Jos Green
 fox taken out of the old foxe's belly" p. 201 Marriages solemnized by Da-
 Parker Lumbert left land to the vid Gorham Esq.
 poor of the town p.p. 184-192 p. 201 Marriages solemnized by Rev.
 Sept 20, 1762 (p. 189) Edwd Ba- Oakes Shaw
 con chosen Rep. Jas. Otis Mod. & notices of intention pp. 202. 207
 chose 12 Sheep yarders — Voted to Sturgis Gorham's mark 1764 & 1793
 employ 2 school-masters (Jas Otis, (203) Ear marks of cattle &c."James
 Isaac Hinkley, Edward Bacon, Nym- Otis Esq a hole in the left ear & 2
 phas Marston, Capt Jesse Lewis, Dea halfpennys in the Right one on each
 Robert Davis chosen agents). Every side the ear and some have a cross
 person shall bring his ear mark to in ye right ear besides the two half-
 record before Nov. 15th next — To pennys Sept 20, 1782
 choose a com. out of town to settle Vol 2 pp. 206-7 &c. notices of mar-
 bounds of school-lot with particular riage, birth, posting cattle &c

BARNSTABLE TOWN RECORDS

lost or found, notices of attendance proper Rec't for Said Town Stock." on Baptist meeting &c &c .

P. 304 marriages by Col. John Otis draw up some Instructions for Nymphas Marston Esq. The Towns' Rep-
1711—1724

P. 311 Isaiah Lewis Green, born representative at the present critical
Dec. 28, 1761, son of Mr. Joseph Conjuncture; said Committee to re-
Green Jr. port to the Town at an adjournment

Vol. 3 "Barnstable Town Book, of this meeting. — Voted that David
1765 Gorham, Esq, Messrs. Daniel Davis,

March 7, 1765 Col. Otis Moderator Mathias Smith, Eli Phinney, and Dea-
June 18, Danl Davis Town Treasr in con Timothy Chipman be a commit-
room of Rob. Davis decd tee for this purpose & then the meet-

& 1766-7 Daniel Davis, Eli Phin- ing was adjourned to Wednesday
ney, Mathias Fuller Selectmen Ed- next at 3 o'clk afternoon

ward Bacon, Town Clerk Surveyors May 20, 1766 — Col. Otis, Ed Bacon
of ways, Col Otis, N. Marston, 2 of & Saml Linell to Exchange to ex-
5 Surveyors of wheat, of whom Eli change Westerly end of the School
Phiney one Lot (on the South side of this Town,

Nymphas Marston Rep. 1765 & 1766 for a piece of meadow & some skirts
E. Bacon & Jas. Otis on various com- of upland adjoining —

mittees- Oct. 20, 1766 "The committee on

to take care of the severall burying the Rebuilding the house on the
places in Town. Mr Oris Bacon Town's land lately Parker Lumbart's
Old burying place in East Precinct reported it was their opinion that it
Mr Thomas Allyn for the burying would be for the benefit of the Town
place near Job Howlands Mr Nath to rebuild said house, which report
Howland East burying place at the was not accepted and the affair was
South side. Mr. Saml Linell at the dismissed" Com. Col. Jas Otis, Edd
Middle. Ensign Benjamin Lumbort, Bacon & Messrs. Cornelius Crocker,
at the West end on South side, Cor- Adino Hinkley & Ebenezer Jenkins
nelius Lovell 1767, March 11, "voted to continue

(Jas, Otis Moderator) the bounty of Two Shill per head

Oct. 9, 1765 "Voted, that the Se- for Killing Red Foxes In this Town
lectmen take the town stock of pow- as has been of late used —

der, bullets and flints out of the Voted, that John Blish be allowed to
hands of Deacon Davis Executrix & Draw out of the Treasury Twenty
replace it in safe hands for said Shillings in full for one year's house
Town's use, where the powder can Rent for the French people to this
be shifted from time to time, In order day—

der to Keep it good, they taking a 2 bills of Dr. Hersey's allowed do.

BARNSTABLE TOWN RECORDS

21:1 — 19:1

1768 & 1769-70 Selectmen James Otis Capt. Daniel Davis Eli Phinney Town Treasurer still Daniel Davis Saml Jenkins Town Clerk in 1769 &

poor to be sent there, wood to be cut for their use off poor lot, garden spot to be marked out and fenced & to keep a cow there for ye use of ye poor

1770

in place of E. B.

May 8, 1769 "voted that the selectmen cloath & cleanse Silas Childs & hire him out at their discretion".

Col. Otis, Edwd Bacon & others appointed (Vol. 3 p. 17) to build a house for poor on land late Parker Lumbart's to 26 ft. square & one story high

Oct. 26 1769 voted, "that the inhabitants above the wood lots have liberty to draw their proportion of the money laid out for schools & dispose

"On a vote being called for to Know the mind of the Town whether they will come into any measure to promote industry, economy & manufactures among us, it passed in the negative." Col. Jas Otis Moderator, elected Rep. &c

of the same in Schooling, as they Kink proper,"

p. 18. "At a Town meeting named and held on Wednesday the 28th of Sept. 1768, David Gorham Esq. Moderator: In order to Know the Towns mind whether they would send

Meetings more frequently held in West M. H. than in the E. M. H. Meetings about schools in the fall—

Red fox bounty of 2s per hd. contind one copper per crowes, blackbirds & jays next spring.

one or more persons to joyn a committee at Boston to consult what might be thought proper to be done Respecting our Publick affairs &c. agreeable to the warrant on file, and after considerable debate on the affair, sd meeting was adjourned to

March 19, 1770 Meeting at E. M. H. adjourned to (?) at Cornelius Crocker's house, by Moderator, Col Otis,

John Crocker Jr. allowed for support of poor 24:17:1 & meeting adjourned to 26th Mch. at W. M. H.

p. 29 — Bound between Mashpee & Bl. Controversy settled by Coms. Col. Otis, Edwd Bacon & Daniel Davis for Bl

Wednesday the 5th day of Oct then next following, At said adjournment the Inhabitants being met and hearing said committee, was broke up. Did not act at all in the affair and the Moderator declared sd. the meeting to be over &c—"

Aug. 9. 1770 Daniel Davis chosen representative in room of the Hon. James Otis Esq. who was elected in to his Majestys Council, Davis also in 1771

March 7, 1771, Selectmen James Otis Nymphas Marston Daniel Davis

Jan 12, 1769. Poor house accepted. John Crocker Jr put in charge of

Constable Eli Phinney who refused & was excused.

BARNSTABLE TOWN RECORDS

Col. Otis & Bacon on a variety of P.M. at West M. H. when voted "to
Coms add four more gentlemen to the Com-
Voted, that there may be a school mittee who are to take under con-
house set up partly on the Highway sideration the request of a number
against the Old Burying Place in of respectable freeholders &c and
Barnstable on the North side of the report at May meeting. Then was
way agreeable to what was inserted added for sd. purpose Mr. Eli Phin-
in the Warrant. ney, Major Otis, Ebenezer Jenkins,
Voted, to allow Mr. Josiah Crocker Capt. Eben Smith
the sum of six pounds for his disap- Mch. 10, 1773 "Voted that Cornel-
pointment in not keeping school six ius Crocker & Shearjashub Bourne
weeks in the year 1769 have liberty to set up a chaise house
p. 37 Agree't about bank for founda- on the meeting house hill in the East
tion of Great Bridge Precinct sufficient for two chaises
Nov 7, 1771 Town voted to raise with two horses tackled:"
285 pounds to pay Town's debts & May 1, 1773 Report of Com. ap-
maintain the poor & one grammar pointed at March meeting was read
schoolmaster & accepted. Col. Otis Moderator
Voted to have one common school on- voted that the aforesd report be for
ly. Voted not to raise any bounty instructions to our present Represen-
on crows &c. for the present tative
March 24, 1772 & 1773— selectmen Voted that the Town Clerk deliver
Daniel Davis Esq & Treasr Joseph an attested copy of the sd report to
Otis Nymphas Marston Josiah Crock- sd Representative and that he cause
er Town Clerk Col Otis Moderator the same to be printed in the pub-
Ed. Bacon on important Com—to W. lick newspapers"
M. H. Nymphas Marston's account for re-
March 10, 1773, "Voted that Col. pairing Bridge at Marston's mill (as
Otis, Daniel Davis Esq Edward Ba- sole agent) allowed 15:4
con Esq Nymphas Marston Esq; Cor- (p. 51) Nov. 10 1773. Town voted
nelius Crocker be a committee to not to accept report of Col. Otis,
take under consideration the request Esqs. Marston, Bacon, Annable, Da-
of a number of freeholders, (who vis, Ellis Phinney, Maj. Otis, Joseph
have set forth that our liberties are Bursley, Edmund Hinkley about man-
encroached) our rights as stated by agement of schools — Reconsidered
the Committee of Correspondence of its vote appropriating 133:6:8 for
for the Town of Boston and the infringe- schools, and "voted not to raise but
ments of the same & make report at eighty pounds for the present year
the adjournment of this meeting." for schooling but to procure two
Meeting adjourned to 22d Mch at 2 grammar school masters.

BARNSTABLE TOWN RECORDS

Voted to allow Mr. John Lewis for Sunday service, it being the sum of eighteen shillings and ten pence
18:10

March 16, 1774 Col. Jas Otis Moderator

Daniel Davis Joseph Otis Nymphas Marston selectmen

Town Treas, Daniel Davis

Town Clerk Josiah Crocker

May 17, Col Otis Modr E. Bacon Rep.

"Chequaquit" in Town Records, p. 58

Sept. 21, 1774 Col. Otis moderator, Daniel Davis was chosen Representative & Hon. Jas. Otis, Major Otis, Eli Phinney, Dr. Abner Hersey, 1st time in office, Mr. Joseph Hallet were chosen a Com. to draw up instructions to him & report sd p. 60 vol. 3. Report made Sept 26, 1774 (Public Papers)

Com. to join with Com's of other Towns to prevent disorders & of correspondence Oct 12 1774 Col Otis Mod. were James Otis Major Otis, Danl Davis, Dr Abner Hersey Messrs Eli Phinney, Joseph Hallet & George Lewis to be chosen, by papers and four to make a quorum

Jan. 4 1775 Col Ed Bacon Mod. voted not to pay taxes to Harrison Gray nor H'y Gardner till Town orders.

"voted, that the assessors make return to Harrison Gray Esq as usual."

"Voted, that the former constables who have any money in their hands for a province tax which was made before March 1774 that they shall

Keep the same in their hands till further order of this Town & the Town will indemnify sd. Constables."

"The question being put whether the town will purchase any small arms, it passed in the negative.

"The question being put whether the Town will purchase any further supply of ammunition but what is already provided, it passed in the negative."

"In respect to encouraging minute men, the Town declined acting."

"to choose a Committee of Inspection to see that the association of the Continental Congress be carried into Execution, so far as it respects Imports & Exports only, the acting according to the severel times fixed in the association.

"Then were chosen for the above Purpose Col. James Otis, Col. Bacon, Esq. Davis, Esq. Marston & Major Otis.

"Voted to Refer the appropriation of the County Congress' Resolves to next March meeting. The Town declined to send any person to the Provincial Congress."

"At a Town meeting legally named & held at Barnstable on 24th day of January 1775, the Hon. James Otis Esq was chosen Moderator. Votd, to send a person to the Provincial Congress to be held at Cambridge on Feb. next and Daniel Davis Esq was chosen for sd purpose."

March 24, 1775 selectmen Daniel Davis & Town Treas. Joseph Otis Nym-

BARNSTABLE TOWN RECORDS

phas Marston wardens, Deer Reeves collected for a Province Tax, that
&c. Josiah Crocker Town Clerk they collect & pay the same to Hen-
"At a town meeting legally named & ry Gardner Esq.
held on the 25th day of April A. D. That Capt Willm Taylor, Capt. James
1775 at the East Meeting house in Davis, & Daniel Davis Esq be a com-
said Town, the Hon. James Otis Esq. mittee to confer with the Committees
was chosen Moderator. The follow- of Yarmouth & Sandwich about set-
ing business was transacted, agreea- tling a post between here & Boston.
ble to the warrant on file. Voted, not to give Esq. Davis any in-
Voted, To purchase a number of structions.
small arms, to be disposed of as the Voted, not to add any person to the
Town shall think proper. Provincial Congress"
Voted, to purchase one hundred & Voted to allow John Crocker's ac-
Twenty small arms. count for sundry supplies for the
Voted, To raise money to purchase poor — 20:11:8
ammunition to be added to the Com- Thus endeth the business of the
mon Stock" Day"
Voted To raise the sum of three At a Town (Meeting) Legally named
hundred pounds to purchase small & held at the West meeting house in
arms and ammunition, to be dis- Barnstable on ye 25th day of May
posed of as the Town shall think 1775 the Hon. James Otis Esq Mod-
proper. erator — the following business was
Voted that Daniel Davis Esq. Col. transacted, agreeable to the warrant
Joseph Otis & Mr. Eli Phinney be on file.
a Committee for to purchase arms Voted, to send two members to the
& ammunition & hire the money for Provincial Congress to be held at
the Town's use. Watertown on ye 31st of May instant
Voted, To leave it to the discretion and Col. Joseph Otis & Daniel Davis
of the above Committee about dis- Esq was chosen unanimously for said
posing of the arms & ammunition. purpose.
Voted, that three military watches be Voted, Thall persons refusing to at-
settled in town, till further order of tend military watches be proceeded
this Town, without any charge to the with agreeable to the law of this
Town. province in that case made and pro-
vided.
That the Military watches be un- At Town meeting in East M. H.
der the direction of the several Cap- July 6, 1775 for the choice of Repre-
tains, viz. James Davis, Ebenezer sentative, the town voted to send
Jenkins, Benjamin Lumbart. any money in their hands or to be Joseph Otis was chosen by the ma-

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for part of the electors present.

Daniel Davis was chosen Moderator. Voted, to choose a committee of Safety, and Capt William Taylor Deacon Jonathan Crocker, Messrs John Lewis Joseph Hallet Eli Phinney, John Crocker Jr. and Samuel Crocker, were chosen for said purpose.

Voted to choose a committee to draw up instructions for the Committee of safety and report to the Town immediately & the selectmen were chosen for said purpose. Voted to excuse Daniel Davis Esq. from serving on said Committee and Capt. Sturgis Gorham was chosen in his place. Committees report was accepted ie. "That this Committee or the major part of them be instructed to give passes to such vessels as may come into this harbour (1st time) in stress of weather or on business to go out again if said Committee safe for them to depart & also to give passes to such persons as shall want to go out of the harbour of this Town with vessels on any business that they shall think proper for them to go upon, and also for Committee to determine when any person shall be liable to pay a fine for not attending his watch when named properly and to settle all other disputes that may be layed before them by any aggrieved party That shall not interfere with the recommendation of Congress — Voted, that the selectmen be directed to look into the condition of the town stock and if there be any deficiency, to make it up"

29 Nov, 1775 at East M. H. Danl Davis, Moderator—

Voted, to reconsider the votes that we passed last April for reissuing the sum of three hundred pounds to purchase arms & ammunition — To make an addition to the town Stock of Powder — To purchas three & a half Barrels of Powder to be added to the Town Stock & that the Selectmen do warehouse the same.

March 5, 1776, Selectmen Daniel Davis & Treasurer, Nymphas Marston Ebenezer Jenkins. Josiah Crocker Town Clerk.

voted not to choose Wardens or Tything men.

Com. of Correspondence, Inspection & Safety. Dea, Crocker. Saml Crocker John Lewis, Eli Phinney, Joseph Hallet

Com. to state "grievances this Town labour under in general, & why persons are taken by an armed force and any of them carried out of the County for tryal, without first being examined by the Committee of safety & make report to the next Town meeting in order if the Town shall think proper, they may present & humble petition to the General Court for Redress"

Then were chosen Eli Phinney, Esq Marston, Capt Wm Taylor, Esq Daniel Davis, Capt Ebenezer Jenkins, Capt. Sturgis Gorham and Mr. Samuel Crocker for the above purpose

22d May, 1776. Daniel Davis was chosen Representative. He was al-

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so Moderator.

Voted, that no corn be carried out of Town (that is raised in the Town) by water

voted, to leave the conduct of Mr. Scudder's affair to the Selectmen Committee reported that was appointed "to state the grievances this Town labours under and the Report was accepted.

Esq. Marston, Eli Phinney & Ebenezer Jenkins were appointed to petition the General Court for removal of grievances.

voted, to allow Edward Bacon, Esq Acet for attending the General Court in May 1774, it being eight Pounds, fifteen shillings

Voted, to Excuse Esq. Marston from serving on the above Committee and Capt. Sturgis Gorham was chosen in his room

Voted, That the Selectmen be directed to deliver Peg to Mifs Russell

Voted — To adjourn the meeting to the Third day of July next to receive the petition the Committee were to draw for the removal of grievances.

At the adjournment, July ye 3d 1776, Town being again met, the Moderator being absent, Esq. Marston was chosen Moderator.

The committee who were to draw a petition to the General Court for removal of grievances the Town labour under and report to this meeting, reported.

Voted, to hear Col Otis's apology.

Voted, not to hear that part of his apologie relating to Abigail Freeman

& the Crocker quarrel

Voted, to accept of the report of the above committee.

Voted that Mr. Eli Phinney & the Hon. Danl Davis Esq. be agents to present the petition for removal of grievances to the General Court, and that Town Clerk give an attest draught of the petition to Mr. Phinney

Voted, to choose a Committee to correspond with the Committee of other Towns for the redress of grievances and Capt. Jenkins, Esq Marston & Mr. Joseph Davis were chosen for said purpose.

Selectmen reported that they had offered old Peg to Mifs Russell & Captn. Hinckley heirs & they refused to maintain her.

Town meeting at East meeting house June 25, 1776; Eli Phinney was elected Representative in room of Daniel Davis, elected Councillor. Mr Phinney accepted, having been waited on by a Committee — George Lewis, Nathan Jenkins & Silvanus Hinckley. Esq. Marston chosen Moderator.

Voted, Not to give any instructions to the Representative with respect to Independence

Voted, that Miss Hetrerways house be cleaned & she be pd. for her trouble in moving. Also to offer Peg to Capt. Hinckley heirs & if they won't support her, the Selectmen are to take care of her

Meeting July 23, 1776. Esq Marston Moderator

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Voted that the Town will not take Crocker Town Clerk upon them to set a watch at Hian-Com. of Cor. & Inspection Daniel nas. Davis Capt Ebenezer Jenkins, Capt Voted, to read the vote of the Town Sturgis Gorham, Cop. Samll Crock- of the 25th of June last, respecting er, Mr. John Lewis.

Independency. Voted, to choose a Com. to meet in To read Capt Gorhams request to the a county meeting in conjunction with Publick & Protest of Col. Otis et al. Coms. from other towns to consider At Town meeting at East M. H. the state of the country & petition July 29, 1776, Danl Davis Moderator. the Gen. Ct. as to County grievances To raise by hiring 173:6:8 with in—which is the guardian of the rights terest for one year (except certain & liberties of the people — Daniel small sums already advanced by in-Davis, Edward Bacon, Nymphas dividuals) to be paid to 13 able-bod-Marston. Capt Ebenezer Jenkins ded men to serve in the army of the Com.

United Colonies at 13:6:8 in addition Apl 15, 1777 Capt Ebenezer Jen- 7 pounds granted by the Colony. kins Moderator — Chose a Com of

Oct. 9, 1776, at West M. H. Danl nine to wait on Com. of Gen. Ct. at Davis, Moderator was given consent Sandwich, desiring them to come to of Town to House & Council form-Barnstable if possible, and to lay be- ing a Constitution to be made pub- fore them difficulties of the Town & lick before ratification a number of persons therein, & to

voted to have only one grammar support Town's petn petition & an- school swer memorial in opposition thereto

Voted, to receive the powder Esq. Com. were chosen by paper, Ed Ba- Davis has purchased for this and to con, Nym Marston Mr. Benjn Cobb allow his acc't for the same, it being Capt. Prince Gorham, Ebenr Jenkins 15 pounds Sturgis Gorham, Saml Crocker, Geo Lewis, Mr. Jos Blish Jr; added to

17th Dec. 1776. Danl Davis Modr Com. Dea. Jona. Crocker & Jacob Voted that Selectmen be directed to Lovell offer 20 shillings a month to each May, 18, 1777. meeting at West soldier & non-comd officer enlisting M. H.

Gen. Ct. one month's pay when he Voted, that Town will strictly ad- marches, 2 months pay at expiration here to the act for preventing mon- of 3 mos. service. opolies & oppression and that they

Town Treasurer shall hire the money will use their influence that the same March 18, 1777 selectmen Daniel Da- shall be carried into execution within vis & Town Treasr Nymphas Mars- this town.

ton Capt Ebenezer Jenkins. Josiah Voted, that the Town raise four-

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teen pounds for each man that shall ing year, yet as the times in which engage for three years and ten pounds we are fallen are difficult & Distres- for each man that shall engage for sing, we doubt not but that some in- ten months

May 20, 1777 at East M. H. Eben- will be very agreeable to you and as ezer Jenkins chose Representative. the settlement of a form of civil gov- Danl Davis was Moderator. "On a ernment will probably come under motion made and seconded whether your consideration, we advise and in- the Town would give their Represen- struct you, use your utmost endea- tive Instructions to proceed to the vours & influence that in such an settlement of a Constitution, agree- arduous & important undertaking, ably to a Resolve of the General Everything be done with greatest Court of the 5th of May, curren- the caution & deliberation — and as the question being put it passed in the other great affairs of Government negatives by a great majority. in this time of public distress & dan- Capt. Saml Crocker, Edw Bacon Esq ger may probably take up by far the Capt Saml Hinckley, Jos. Blish & greatest part of the time of the Capt. Saml Gorham chosen Com to General Court in providing for the Micah Hamblin, Barnabas Chipman, safety of this and other the United Thomas Crocker, Danl Basset & States of America and for the annoy- Nathl Lothrop comes to procure men ance of the common enemy, we are for the Continental army. therefore naturally led to imagine

May 13, 1777. Town met & ad- that if the settlement of a plan of journed from East M. H. to house of civil Government should be attempt- Cornelius Crocker, where report of ed by the General Court, so many un- Com. to instruct was read and accep forseen interruptions must take place ie. As this Town did, on the 20th day much trouble and delay in that ardu- of May make choice of you to repre- ous undertaking: we are therefore of sent them in the Great & General the opinion that it might be the like- Court or Assembly of this State, ap- liest method of settling such a plan pointed to be held & Rept. at the of Government for the future as State House in Boston on the 28th might not only be done with the day of the same May & at their sev- greatest despatch, but might also give eral sessions the ensuing year. the greatest satisfaction to the good Notwithstanding our reliance on your people the inhabitants of this state wisdom, prudence & sound judgment if the same or a similar plan to that in all matters that may come under lately Recommended by many of the consideration in the House of Repre- Towns in the County of Worcester, sentatives in the course of the Ensu- should be adopted.

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There. we instruct you to use your thought proper to give you which we utmost endeavor and influence that it ardently wish you to peruse for the be recommended by the General purposes abovesaid, in which and in Court to the several Towns or Coun- all other the important affairs of ties in this State, as soon as it may Government that must come before be to choose delegatee to meet in you, we sincerely wish you the di- Congress at such a place as may be vine guidance and direction — a pros- judged most convenient, for the sole perous journey and a safe return, purpose of forming a plan of civill dated at Barnstable ye twenty third government for this state; the same day of May AD. 1777 SAMUEL when by them compleated to be lade CROCKER per order"

before their several constituents for Ebenezer Jenkins, Clerk pro tem.
 their approbation or amendment, and Meeting at E. M. H. Ny Marston
 when the sense of the several Towns Modr

in this state on the aforesaid pro- Voted to have one grammar school---
 posed plan can be fairly and fully to raise 400 pounds for Town charg-
 had (suitable time being allowed es present year.
 them therefor) the same; to gether Chose as a Committee to supply
 with the proposed plan of Govern- the families of soldiers that are in
 ment to be recommitted to the afore- the Continental service with neces-
 said delegates, that so out of the saries, agreeable to a resolve of the
 whole of the materials so collected General Court, Messrs John Lewis,
 they may be able to settle a plan for Micah Hamblin, Sturgis Gorham, Jos-
 a permanent Constitution as nearly eph Bursley, Thomas Cocker & Jos-
 as may be to the sentiments of the eph Hallet

whole people, at their second meet- Voted, to choose a Committee to draw
 ing for that purpose — But if it up a petition to the General Court
 should appear to said Congress at relative to the act for calling in this
 their said Second meeting when the State's money, it being grievous and
 Sentiments of the Good people of alarming to the people. Committee
 the State has been thus fairly & ful- chosen, were Esqs. Marston & Bacon
 ly collected that alterations and & Mr. Joseph Davis, whose report
 amendments are necessary to be was accepted and forwarded to the
 made, then and in the case we wish Representative to support

the same to be laid before their con- Voted, that Molly Lovell, Rebecca
 stituents the second time for their Adams & Munroe's wife are left to
 consideration and sentiments thereon the discretion of the Selectmen.
 before it be returned to the Genl Meeting at E. M. H. 23d Feb. 1778
 Court for their approbation & Confir- N. Marston Moderator.
 mation — These hints, Sir, we have voted that selectmen & Com. Cor-

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respondence be directed to enlist the family
men that are wanting to make up the Mr Jethro Thacher to supply family
Town's part of the Continental ar- of Benjn Backford
my for two years if they can, but if Mr Thomas Annable to supply family
they cannot, they are to enlist them of Jabez Hinckley
for 8 months. Mr Ebenezer Hinckley to supply fam-

To choose a committee to hire under ily of Benj. Lumbart
direction of aforesaid, ie. Thomas Dea. Job Crocker to supply family
Crocker, Micah Hamblin & Isaac of Micah Deagle
Bacon. Mr. Daniel Carpenter to supply fam-

That the Selectmen and Com. of ily of Screech's wife
Correspondence procure the money to Lieut Joseph Blish to supply family
raise the men, to be provided for in of Nathan Fuller
next Tax list. Adjourned meeting April 1st Edwd

March 24, 1778, at Daniel Davis Mod Bacon Moderator.
Selectmen & Com. of Cor, Inspec- Voted, not to act on 4th Article in
tion & safety, Danl Davis, also Treasr Warrant respecting coming into any
Nymphas Marston Capt Ebenr Jen- measures for the raising of men for
kins Town Clerk Josiah Crocker Guards to the Troops of the Con-
Capt. Sturgis Gorham had leave to vention at Cambridge, further than
build a wharf 40 ft. long 30 wide at what is mentioned in the resolve of
Town's Landing, Lewis Cove at the At Town meeting held at West M.
Hiannas H. April 8, 1778 Nym. Marston Esq.

That the Selectmen & Com, be di- was Moderator. "Voted that a Com.
rected to find out how much the be chosen to take into Consideration
Town is deficient in making up the an affair relative to a stragglng per-
quota for the Continental army & to son & report. Then chosen for
procure so many men as they shall above purpose Esq. Bacon, Capt
find wanting on the best terms they Samuel Hinckley & Samuel Crock-
can, to hire the money which is to be er, who made their report, & the
raised in next town tax. Town voted to accept of the same.
Selectmen shall proceed agreeably Voted that Col. Edward Bacon &
to the resolves of the General Court Capt Jenkins be a committee to lay
for procuring the Soldiers clothing. the same before the attorney Gener-
Voted to add more men to Com. al for this State or the States Attor-
that were to supply the families of ney for this County. The report is
Continental soldiers with necessaries, on file"—

agreeable to a resolve of General May 12, 1778 at West M. H. Col. Ed-
Court for sd. purpose ie. Mr Benjn ward Bacon & Capt. Ebenezer Jen-
Cobb to supply Mr. James Lothrop's kins chosen Representatives when

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meeting was adjourned half an hour and Ebenr Jenkins being excused at his own request, Capt Sturgis Gorham chosen in his room.

May 12, 1778 at meeting at West M. H. after choosng Ed Bacon & Sturgis Gorham Rep's, Dan'l Davis was elected Moderator. Adj'd to May 14 at adjt, again adj'd to next Monday at Court House at 9 o'Clock "and the Militia, both in the alarm list and Training Band be mustered at that time & place.—May 19th voted to make up the Soldiers wages that will enlist to go to Peekskill the three months, the sum of ten pounds per month, including the wages & bounty allowed by the State. Then the Town adjourned for one hour to the same place & being again met. Voted, that in case the Selectmen & Com. draught the men to go to Peekskill that they shall be entitled to the same allowance as if they were enlisted as above, that is, all those that do actually go into the service.

Voted to make up the soldiers wages that are to go to Providence for the sum of eight pounds per month to allow them four pounds per month besides what the State allows. Voted, to add forty shillings per month to the Peekskill men in case they will enlist. Voted to adjourn this meeting to Wednesday next at nine o'clock at the Court House.

At which time, meeting was adjourned to East M. H. at 3 P. M. when it was voted, to make another addition of forty shillings per month to those men who will enlist Peekskill, making in the whole fourteen pounds per month, including wages & bounty.

Voted, to choose a committee to assist the Selectmen & Com. to get the men for Peekskill and Providence & the Town will see them paid for their trouble, they making a return of their doings at the adjournment of this meeting. Then were chosen for the above purpose, Messrs Thomas Horner, Barnabas Chipman, Samuel Linnell, Benjamin Gorham Jr, Zaccheus Howland & Capt Wm Taylor.

Voted, to chuse a Committee to look into the Constitution and plan of Government and report to the Town. Then were chosen for said purpose, Shearjashub Bourne Esq, Capt. Saml Crocker & Capt. Prince Gorham. Then voted to adjourn this meeting to the West Meeting House to Thursday next at four o'clock.

At the adjournment, May ye 28th 1778, the Town being met, they made choice of Mr. Barnabas Chipman for Moderator. The Committee that were chosen to assist the Selectmen & the Committee &c. for to enlist men for Peekskill & Providence reported that they had made trial to enlist men, but could not get any Voted, that the above Committee still continue their endeavors to get the men that are called for."

Voted, that Messrs. Shearj Bourne be a Committee to prefer a petition to

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the Great and General Court, setting forth the difficulties attending the raising of men in the Town of Barnstable for the present services required and also showing forth the Sums of money voted by said Town to each able bodied man that will engage in said service and the continuance of their exertion for that purpose until sd. men are raised also praying for the continuation of the State Bounty and also that the fines of the Selectmen and Town may be remitted, if any failure should happen after their most vigorous exertions for effecting the same, although the set time for raising them may be elapsed.

May 28, 1778, the Committee upon Constitution & form of Government made a verbal report. Nymphas Marston, Moderator

"Then the Town made choice of Lawyer Bourne, Capt. Saml Crocker & Capt Prince Gorham to draw instructions for the Representatives & report. Their report (accepted) is as follows—

The Committee, therefore, in pursuance to the Town's order, do report, that as there was a great majority of votes, to wit fifty nine against, and but ten for sd. plan of Constitution, the same must be rejected agreeable to the resolve accompanying the said Constitution and the Representatives for sd. Town be instructed not to give voice for the same until the further order of the Town.

S. Bourne, per order.

At Town Meeting at Bl. June 10, 1778. The town voted to make an addition of 6 pounds per month to those men that inlist or that are draughted to go to Providence, they actually performing said service Dec. 16, 1778, at East M. 26. Nymphas Marston Moderator—Voted, to raise 1300 pounds for town charges, the present year.

Voted, to act on the request of a number of freeholders relative to a petition exhibited to the General Court against Edward Bacon Esq. Representative of this Town.

Voted, to chuse a Committee to draw up some votes relative to the above sd. request. Com. were Capt. Saml Crocker, Lieut Joseph Blish & Mr Joseph Hallet.. Their report was accepted & ordered to be recorded and forwarded to Representatives to be laid before the House. It is as follows

"At a Town Meeting &c. held at Barnstable on the 16th day of Dec. 1778, the Town taking up the subject matter of an attested copy of a paper purporting to be a remonstrance & petition against Edward Bacon Esq. addrest to the Hon House of Representatives praying he the sd. Edward Bacon Esq. may be excluded from the publick Councils forever, to which paper is affixed the names of Joseph Otis Esq and twenty-eight others; after hearing all parties and duly and patiently considering the

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same that it is the opinion of this community that the said paper contains the most unjustifiable & injurious reflections, not only on the political character of Edward Bacon, but on the loyal inhabitants of the Town of Barnstable.

"Voted 2d It appears to this Com-

mittee that the said Edwd Bacon Esq was elected to represent said Town in as fair, free and full a manner as is usual in this or can possibly be in any other town in this State and in as full a town meeting as is common on such occasions, he having a large majority of the suffrages of the people present at said meeting.

3. Voted, that if we had imagined that the said Edwd Bacon Esq deserved the opprobrious character given him said petition, we should have been much readier to have prosecuted him on the laws of this state as an enemy to his Country than to have elected him as our Representative.

Voted 4th That it appears to this Committee that the several charges proceed rather from an old family quarrel & was the effect of envy rather than matters of truth and sobriety or any view to the publick good.

Voted 5. That it appears to this Committee that the said petition was very unjustly and surreptitiously obtained.

Voted 6. That it does not appear to this Committee that from the beginning of the present war to this

day there has been any backwardness but on the Contrary; the said Edwd Bacon Esq has appeared as forward for raising men and money for the service as any other person in Town and many more so, if possible, when the public demand has been very urgent.

Voted 7th that it is the opinion of this Committee that the Subject matter in said petition contained is a malicious & injurious libel on the political character of the said Edwd Bacon Esq. & calculated merely to stir up strife, animosity & discord in this Town & County & if possible, to destroy his influence in the same; and therefore pray the Humble House of Representatives to dismiss the same as groundless, scandalous & vexatious.

Saml Crocker

Joseph Blish

Joseph Hallett"

"Voted to choose a Committee for a County Convention with full powers to invite the other towns in the County to accede to the same and also to appoint time & place for meeting, in order to consider the state of the country at large & prefer such petition to the Great and General Court for the abatement of sd. County's quota of men for public services abroad, in consideration of the situation and present circumstances of sd. County & for any other matters and things as may be agreed on by the major part of the Towns that may be so met and assembled & to

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do any other matter or thing consistent with the public good and safety in general and of the County in particular, as to them may appear reasonable and Necessary." p. 105 selectmen's acct of clothing procured for army 354:10:6
p. 106 Dr. Saml Savage's acct for service to Town Poor 13:6:11
p. 106 "That the Selectmen farm out

The Com. were Capt. Samuel Crocker, Mr. Joseph Blish, Joseph Hallet, Edward Bacon Esq, Shearjashub Bourne Esq Mr. Eleazer Scudder & Capt James Davis. such of the poor as to them seem best"
To allow Mr James Bacon for killing foxes 1:8:0
March 31, 1779 Edwd Bacon Moderator.

Voted that the Representatives of the Town be directed to use their influence at the General Court that the report of the Honble Committee of the General Court that sat at this Town to hear and settle grievances in April 1777 be reviewed, acted upon, accepted and confirmed. 3 agents were chosen for the Eastward part of the Town along street"
3 agents were chosen for the westward part of the Town below the woodlots"

Voted to allow Nymys Marston Esq account for cash which he advanced for the Town in paying the soldiers with interest for the same; the account, being, exclusive of interest 191:13:4
Voted "that the guns which are in the hands of Capt Sturgis Gorham, for which he has paid the board of war, the Selectmen sell so many of them at publick auction to the inhabitants of the Town as soon as may be,

page 100 various accts allowed for services in raising troops and for supplies furnished continental soldiers families ie. of Jabez Hinckley, Micah Deagle, Enoch Crocker, Richard Creech, Benjn Blachford, Benj Lumbart, Daniel Vanderpool, Robert Cary for Abigail Sturgis & child, Mary Lovell and nurse, whole amounting to 300 pounds or more. so as to pay Capt. Gorham for the money he advanced & charges & no more and the guns that remain be deposited in hands of the Selectmen for Town Stock for them to distribute to such poor persons as have none on any sudden emergency, and for the people that have them to return them to the selectmen as soon as the expedition is over for which they were delivered

March 18, 1779. (Town meeting) Edward Bacon was chosen Represent. May 20, 1779 E. Bacon chosen Rep. Nymphas Marston elected Moderator. (as also at March meeting)
Selectmen Edward Bacon Deacon Nymphas Marston, Moderator
Jonathan Crocker Mr Thos Crocker Voted, That the Town does not

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choose at this time to have a new aspersions & that these very inter-constitution and form of Government esting matters & the State of the made. There were 56 nays and 2 Town may be taken up at large and yeas. that the true reasons of the present

Bounty of 6 shillings on foxes (depreciation of 30 per) once happy town may be fairly & fully stated & such constitutional measures adopted as the Town may judge proper for vindicating the Honor of sd. Town and adopt some proper measures for vindicating their honor rights and privileges.

Voted, to choose a committee to attempt the settlement of peace and tranquility among the Inhabitants of sd. Town and adopt some proper measures for vindicating their honor and innocence to the political fath- Then were chosen for the above purpose, Nymphas Marston Capt Stur- for sd. purpose Nym. Marston Esq, gis Gorham, Capt. Saml Crocker, Brigadier Otis, Capt Sturgis Gor- Capt Samll Hinckley and Isaac Hinck- ham, the Hon Daniel Davis Esq & ley Esq, voted the above Committee sit immediately & report. The

Capt. Saml Crocker Town accepted their report and Voted to chuse a committee for purposes in the above report mentioned & that it consist of seven. Then were chosen Shearjb Bourne Esq, Capt Samll Crocker, Dr Samll Savage, Capt. Sturgis Gorham, Col. David Gorham, Nymphas Marston, Esq., & Capt Samll Hinckley. Voted to add two more to the Committee then were chosen Isaac Hinckley Esq. & Mr. Joseph Hallet

voted that Esq. Davis be chairman of the above Committee.

July 6, 1779

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Voted to chuse a committee to consider the request of more ten freeholders, inhabitants of sd. Town, setting forth that sundry persons among ourselves together with some others, have been attempting to undermine & destroy the invaluable right of free election & representation in the Government immediately over us, whereby our late Representative has been deprived of a seat in the Honbl House of Representatives & that the loyal & faithful inhabitants of sd Town not having as yet had opportunity either by their representative or agents specially appointed for that purpose to vindicate themselves or their late representative from those unjust & injurious

Voted, that the above mentioned report of the Committee be deposited in the hands of Capt. Sturgis Gorham till further order of the Town.

Voted, not to proceed to the choice of a Representative

Town Meeting, March 29, 1780 p 119 Col. Bacon Moderator

"Voted, that the Report of the Town's Committee of the 6th of July AD. 1779 chosen to take into considera-

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tion the unhappy state of this Town, subjects of the same so long as they be recorded in the Town Book of can enjoy its protection and their Records by the Town Clerk. constitutional rights

The report is as follows—

Att a Town Meeting legally warned this Town that Edw Bacon Esq, our & held at Barnstable on the 6th day late Representative was excluded of July A.D. 1779— from a seat in the present House of

The Committee appointed to take in- Representatives by the artful and un- to consideration the present unhappy just insinuations of ambitious men situation of this town, the peace & who procured a petition against our happiness whereof having been of late Representative, which, together late greatly disturbed & injured by with the way and manner of his ex- the unjust conduct & misrepresenta- clusion, we cannot but view as a tion of ambitious, artful & weak or grievance and dangerous to the very wicked men, in consequence whereof being of a free people — the just Edward Bacon Esq, our late Repre- grounds and reasons of such exclu- sentative, has been excluded from a sion, we confess ourselves at present seat in the Honorable House of Rep- wholly unable to comprehend, unless resentatives in, a very extraordinary the sd Edwd Bacon Esq by any un- manner — beg leave to report the due conduct after his election in May following votes for the consideration last rendered himself unworthy of a and acceptance of the Town, subject seat in the Honble House.

to such alteration & amendment as voted 3d That we have by long ex- may be judged proper. perience found him the sd Edwd Ba-

In the first place voted, that notwith- con Esq. in our best judgment to be standing the illiberal abuse and slan- a steady, unremitting zeal in our der which the inhabitants of this town Countris cause & that he has on all have so long laboured & even groan- occasions since the Commencement ed under, in consequence of the mis- of hostilities between Great Britain representation of certain persons and the United States of America whose importance in Government they been ready to afford us his best ad- may imagine almost wholly depends vice & assistance in raising men & upon veiling others to keep them- money for carrying on the war with selves & their connections in office, the enemy and in justice to him & the inhabitants of this Town embrace to ourselves we must declare to the the opportunity to declare that they world, we know of no person among bear all good faith & true allegiance us, let his office or character be what to the State of Massachusetts Bay it may that has shown greater zeal in New England and shall zealously for the defence & safety of his coun- and faithfully continue to be loyal try, notwithstanding what may have

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been suggested or declared against but that a large and respectable Com-
 him by artful & ambitious men & mittee be appointed to prefer & es-
 notwithstanding his timidity previous tablish a petition to the Honble
 to the commencement of hostilities, House, setting forth the true reasons
 when this country was considered by of the difficulties now subsisting in
 many as in its infancy as to the art this once happy Town and the injus-
 of war with its sling and stone & tifiable conduct of those persons who
 unable to contend in arms with a have been the promoters & abettors
 powerful Nation armed at all points of those petitioners and slanderers
 at whose angry word even the most of the faithful and loyal inhabitants
 warlike nations trembled, but since of this Town, who if they could but
 war has hung out its bloody flag & enjoy rights & privileges in common
 unjustly driven by our inveterate ene- with their fellow subjects should en-
 mies to the only alternative of flying joy a happiness to them very much
 to arms for the security of our just unknown of late & equal to the most
 rights & Privileges, we must serious- sanguine wishes & that sd. Commit-
 ly repeat it, we know of no person tee Petition the Hon. House of Rep-
 in this Town, who has appeared more resentatives as soon as may be for
 steadily & uniformly attached to his the aforesd important purposes, and
 country' cause. also petition the Hon. House of Rep-

Wherefore: voted, 4thly as the opinion resentatives that their vote of exclu-
 of this Town that the of the sd. Ed- sion of Edward Bacon Esq may be
 ward Bacon Esq. from a seat in the reconsidered or totally annulled &
 Hon. House of Representatives is not that this Town may be represented
 only an infraction on the natural at the Court by the person of her
 rights of men, but in its tendency & own choice in whose honor and fidel-
 consequences does to us appear ex- ity to this & the United States of
 tremely dangerous to the Constitu- America, as well as in his abilities,
 tional rights of any people who can we can place the strongest confi-
 still boast of any remaining free- dence"

dom worth contending for—
 Resolved 5thly That it is the opin-

ion of this Town that they cannot do
 justice to this Country, to the natu-
 ral rights of man, to themselves and
 posterity, at present proceed to the
 choice of a representative in the
 room of Edward Bacon who is said
 to be excluded for the present from a
 seat in the House of Representatives,

Recorded according to order, &
 compd attest

Ebenr Bacon Town Clerk

At a Town Meeting legally warned
 & held at the West M. H. in Be. on
 ye 3d day of Feb. A. D. 1778, Nym-
 phas Marston Esq was chose Mode-
 rator. Then the Town proceeded to
 the business agreeable to the War-
 rant on file.

BARNSTABLE TOWN RECORDS

Voted, to chuse a Committee to take But report in fact was given in at a
into consideration the articles of Con- town meeting in East M. H. Feb. 23d
ederation & perpetual union be- 1778 - page 83 vol. 3.
tween the United States of America, mem
agreed on by the Hon. Continental To inquire abt meeting of March 8,
Congress and report at the adjourn- 1867 where vote abt promoting in-
ment of this meeting dustry &c.
Voted, that the above Committee con- & of Sept. 28, 1768 whether Town
sist of five. Then were chosen for will send to meet Boston Com & c.
said purpose, Edward Bacon Esq. (negative both)
Nymphas Marston Esq. Messrs Sam- Instructions to D. Davis Sept. 26
uel Crocker, Joseph Davis and Thom- 1774
as Crocker.
Voted to adjourn this meeting to the Instructions to Ed. Bacon May 10,
annual meeting in March next. 1773 Look in Gazette for.

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